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JOURNAL

OF THE

Missouri State Convention,

HELD IN

JEFFERSON CITY,

JUNE, 1862.

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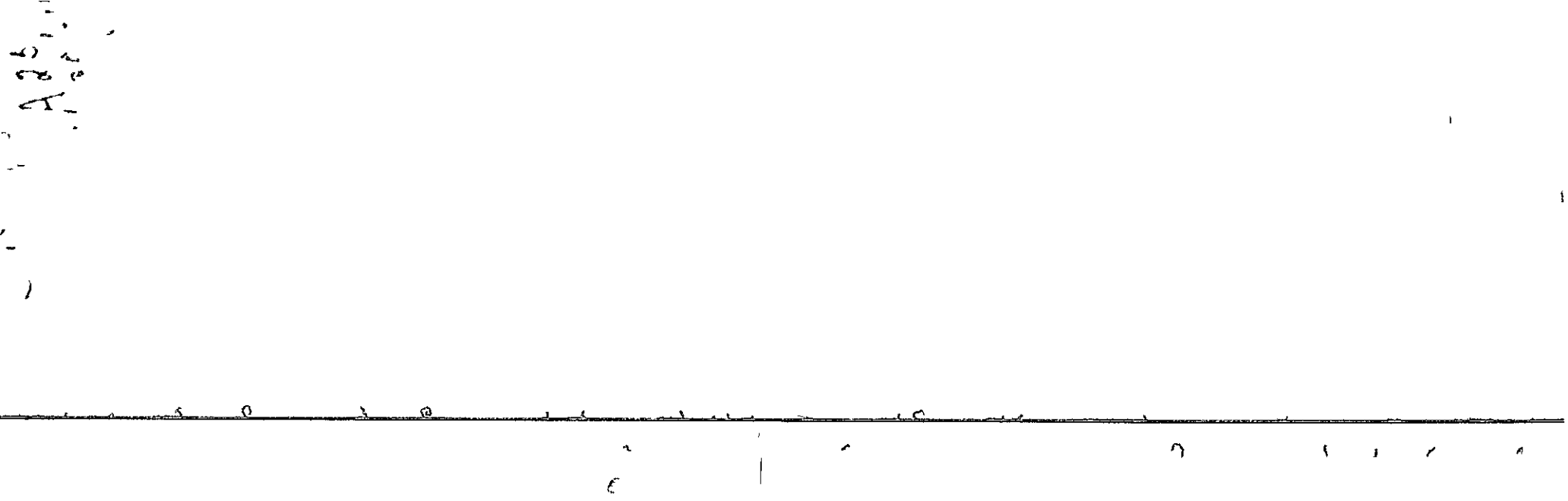

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JOURNAL

OF THE

MISSOURI STATE CONVENTION,

HELD IN JEFFERSON CITY, JUNE, 1862.

FIRST DAY.

MONDAY, June 2, 1862.

The Convention met in the hall of the House of Representatives, at Jefferson City, in pursuance of the following call of the Hon. Hamilton R. Gamble, Governor of the State of Missouri:

"EXECUTIVE DEPARTMENT,
City of Jefferson, Missouri.

The public exigencies, in my judgment, require that the Convention of the State should be convened, as well for the purpose of dividing the State into Congressional Districts, so that the number of Representatives to which we are entitled may be regularly elected, as for the transaction of other necessary business: Therefore, I, HAMILTON R. GAMBLE, Governor of the State of Missouri, do call the Convention of the said State to assemble in the Capitol, in the City of Jefferson, on the first Monday of June next.

In testimony whereof, I have hereto set my hand and caused the Great Seal of the State to be affixed this twenty-eighth day of April, in the year eighteen hundred and sixty-two.

H. R. GAMBLE.

By the Governor:

M. OLIVER, *Secretary of State.*"

Mr. JOHN H. SHANKLIN, member *elect* to fill the vacancy occasioned by the death of Jacob T. Tindall, of the 9th District, came forward, presented his credentials, and was sworn in as a member of this Convention.

The roll was called, when the following members answered to their names:

Messrs. Allen, Bogy, Breckinridge, Broadhead, Brown, Collier, Comingo, Douglass, Dunn, Henderson, Hitchcock, How, Howell, Jackson, Leeper, Linton, Long, McCormack, McDowell, Meyer, Moss, Orr, Pomeroy, Ray, Rowland, Shanklin, Smith of St. Louis, Stewart, Waller, Welch, Woolfolk, Vanbuskirk, and Mr. President—33.

There being no quorum present, on motion of Mr. Bogy the Convention adjourned until 5 o'clock P. M.

EVENING SESSION.

The Convention met pursuant to adjournment.

The roll being called, the following additional members answered to their names:

Messrs. Bush, Cayce, Doniphan, Eitzen, Flood, Gravelly, Hall of B., Holmes, Hudgens, Irwin, Isbell, Jamison, Kidd, Marmaduke, Marvin, Matson, McClurg, McFerran,

Phillips, Pipkin, Rankin, Scott, Shackelford of St. L., Smith of L., and Zimmerman—58.

There being a quorum present, the Convention proceeded to business; when

Mr. ROWLAND offered the following resolution, which was adopted:

Resolved, That Elder Thomas M. Allen be and is hereby appointed Chaplain of this Convention during its present session.

Mr. BROWN offered the following resolution, which was adopted:

Resolved, That the Secretary of this Convention furnish each member thereof with a copy of the late census of the State of Missouri.

The President laid before the Convention the following

MESSAGE FROM THE GOVERNOR.

Gentlemen of the Conventton:

You have again been called together because there is no other body in existence that can adopt the measures which the present condition of the State demands.

In order to a proper understanding of our condition, and to a judicious exercise of the powers with which the Convention is clothed, it may be profitable to glance rapidly at the events which have occurred within the past year.

After the adjournment on the 22d day of March, 1861, and after you had solemnly expressed the judgment of the people of the State that there was no sufficient cause for disturbing the relations existing between the State and the United States, there was manifested on the part of those exercising the executive and legislative powers of the State a persistent purpose to dissolve our connection with the General Government, and attach us to what is called the Southern Confederacy. This purpose was exhibited in acts tending to a military collision between the State and General Government, and finally produced the battle of Boonville on the 18th day of June last.

From that time the Governor fled before the military authority of the United States, charged as a citizen of the United States with treason against his Government: other high executive officers and many of the members of the Legislature being implicated in the same charge of treason, in like manner fled, and abandoned their offices. Thus it happened that when you again assembled, in July last, you found the State Government in ruins, with no magistracy in a condition to exercise the powers which were conferred upon them by the Constitution, in order to maintain the peace of the State and the security of the people. It was among the wise orderings of a kind Providence that the Convention should, at such a crisis, be in existence, and capable of meeting the emergency. The alternative was presented to you of allowing the State Government to remain in ruins, with anarchy universally prevailing, with no power to preserve order, except as it might be exercised by a soldiery chiefly from other States, or attempting to rear again the Government of the State, that the reign of law might be re-established. You chose the latter, and organized the Provisional Government. Your power to do so cannot be successfully questioned. The necessity for your action will be admitted by every person who understands what was then the condition of the State, and the wisdom of your action would seem to be established by the improvement that has since taken place in our condition.

If we look back to the time of establishing the Provisional Government, we will see such a state of affairs as might well have justified a feeling of despondency as to the restoration of peace and order. Civil war was fully inaugurated; the popular mind was greatly inflamed; disregard of law universally reigned; there was no military force to enforce law and preserve order; there were no arms belonging to the State to put into the hands of a military force if we had had one; there was no money in the treasury with which to purchase arms or subsist soldiers; there was no State credit upon which to raise money; and, moreover, a very large majority of all the public offices of the State were in the hands of persons hostile to the Government of the United States, sympathizing with those engaged in the rebellion, and opposed to your attempt to restore peace. Under such circumstances, it was not surprising that some should have despaired of the success of the experiment to restore a quick and peaceful administration of the State Government. Yet it was the only hope that was left to those who really desired to preserve the State Government in actual operation.

In order to prepare a force to preserve the peace of the State, a call was made for forty-two thousand volunteers, on the 24th of August last, to serve six months. After this call was made, many hindrances were thrown in the way of its being answered. Officers and men belonging to regiments in the service of the United

States, depreciated the State service by representing the utter uncertainty of the men ever receiving either their pay, clothing, or subsistence. These representations were made, not only by persons raising troops as Missouri volunteers, but by others who were in regiments belonging to other States, who desired to swell their own ranks. Unfortunately the real state of facts gave too much color of truth to these representations, and rendered them the more effectual hindrances to the raising the number of volunteers called for. Still, more than six thousand men volunteered, and were organized into battalions and regiments, under the act of 1859, which had been re-enacted by the Convention.

As the recruiting advanced, the difficulty of providing arms and subsistence became more apparent, and as applications to the Commanding General of the Department for arms were unavailing, it became necessary to have a personal conference with the authorities at Washington. By such conference, arms were obtained, and the sum of $200,000 was advanced by the United States, out of an appropriation made in July last for the purpose of aiding the loyal citizens in States where rebellion existed. With this comparatively small sum, the attempt was to be made to provide the absolute necessaries required by the troops, particularly the articles which could be purchased only with cash. And it is proper here to bear testimony to the patient fortitude with which they bore the privations to which they were subjected. It was plainly impossible to supply them out of this sum with the full allowance to which soldiers in the service of the United States are entitled, and it became indispensably necessary to practice the greatest economy in order to provide them even with indispensable necessaries. One of the most painful duties was to be obliged to listen to the recital of their wants, with the knowledge that they could not be promptly met. As the period approached at which they ought to be paid, the difficulty of meeting their reasonable demands for pay was to be met. Your ordinance, passed at the October session, provided for meeting the expense of the whole force, by authorizing the issue of Defence Warrants, not to exceed a million of dollars. This measure relieved the Executive from the apprehension of immediate embarrassment, but was inadequate to the full support of any considerable force for a long period. It was plainly necessary that some more permanent provision should be made in order to make the force large enough to be efficient, and at the same time free the State treasury from a burden it could not bear.

In order to accomplish this end, another personal conference was sought with the President, and, as the result, an arrangement was effected under which the Government of the United States undertook to bear all the expense of a military force to be raised for the defence of the State during the war, to be organized in the manner provided for the organization of the volunteers in the service of the United States. It was thought that this arrangement would be at once received by the troops already in the service of the State as a guarantee of future, certain and regular subsistence and pay, and that they would promptly embrace the proposition to organize under it. But as they were already entitled to pay which they had not received, and as many of them could not leave their families to serve in distant parts of the State during the war, it was found that they hesitated to engage in the new service.

It was apparent that to have two classes of troops at the same time in the service of the State, one supported and paid by the United States and the other by the State, would produce endless confusion and difficulty. The expense of the force organized under the act of 1859 was greatly enhanced by the great proportion of officers allowed for the number of men enlisted as privates. It was, therefore, judged necessary to the interest of the State and of the service, to pay off the six months' men and disband them, in order that those who could serve for the war might engage in the force about to be raised and supported at the expense of the United States.

The arrangement made with the President gave an impetus to the enlistment of volunteers, but a construction was given to the agreement which required a whole company of eighty three men to be raised before the men could be subsisted, clothed and paid by the United States. Although there had been received from the United States an additional sum of $250,000, it became apparent that this money would soon be consumed in furnishing subsistence and clothing to recruits until each company was ready to be mustered into service with eighty-three men. It became necessary, therefore, to have again a personal conference with the authorities at Washington, in order to have the agreement carried out in its true spirit. This was effected, and the men were ordered to be mustered into service singly as they were

recruited, and to receive their subsistence and clothing at once from the proper officers of the United States.

When the military service of the State was placed upon this basis, it was immediately apparent that all difficulty in raising an adequate force was removed. Authorities to raise regiments and companies, and to raise recruits generally, were given out, and all was progressing well when Congress interposed and limited the number to be paid to ten thousand men. Orders had to be issued to stop recruiting, but as the returns came in it has been found that we have more than twelve thousand men, and it remains to be known whether Congress will, with the liberality which has characterized the conduct of the Executive Department towards us, provide for the payment of this excess. When the order to stop recruiting was issued, it found fragments of regiments which had to be consolidated, often requiring several to make a complete regiment. This necessity, of course, produced dissatisfaction among persons who had expected to command regiments, but found themselves reduced to lower field officers in the consolidated regiments. The duty of making the consolidation, however, was unavoidable. There are now fifteen regiments and two battalions, with two batteries of artillery in the field, all fully equipped and armed, ready to serve in any portion of the State where an enemy may appear. The men are our own people. The officers are chiefly selected from our own citizens, and as all will be held responsible for wrongs committed upon the people of the State, there is every reason to anticipate that the rights of the people will be respected.

It was a part of the arrangement made with the President that, in order to preserve unity of command, the Major General of the Department should be commissioned Major General of the State militia. Maj. Gen. Halleck is, therefore, the Major General of the Missouri State Militia. The immediate command has been by him turned over to Brigadier General Schofield, of the volunteer service, commissioned Brigadier of the State troops. He is a regularly educated and talented officer of the Army of the United States, distinguished in actual service, and has rendered to the State very valuable assistance in organizing our forces and selecting the officers.

The other Brigadiers of the State militia are Gen. Loan, Gen. Totten, and Gen. Brown, all of whom have been selected on account of their qualifications to command forces within the State. Gen. Totten is known to the country as an officer of the regular army, who distinguished himself as an officer of artillery at the battle of Wilson's Creek.

Considering the extent of the country to be covered, the force is small, but they are capable of rapid movement, and can be soon concentrated wherever they are required.

This is given as a brief but sufficient statement of what has been done to provide a military force for the preservation of the peace and order of the State, and it would be wrong to conclude it without expressing a high sense of the obligations we are under to the Government of the United States for the promptitude and liberality with which our most pressing wants have been supplied.

In paying the troops that have been called into service for six months, and in defraying the expenses incurred in the support of that force, there has been issued to the disbursing officers the sum of $720,000 in Defence Warrants, and there will have to be issued a further amount, which may swell the aggregate to $775,000. The amount in circulation has already been reduced $100,000, by receipts into the Treasury for the taxes of 1861 from only forty-one counties. It will, therefore, be seen that the whole amount issued will very soon be absorbed. Most unfortunately for the men who received this paper for their services, efforts were too successfully made to depreciate it, as well by those who were opposed to the Government, as by those who sought only their own profit by speculating in it. Thus, at one time, it fell to seventy cents on the dollar, and afterwards rose to eighty and eighty-five. Yet its ultimate redemption is, in fact, better secured than that of any bank paper in the State, because it is receivable in payment of taxes—when the taxes of a single year would absorb it all; and it has a specific collateral security of bank stock pledged to its redemption. And, moreover, the debt was incurred in doing what the United States Government was bound to do—that is, in defending the State against those who were in insurrection against that Government, and therefore that Government is bound to bear the burden of this debt. This, no doubt, will be attended to by the Senators and Representatives of the State in Congress. Under such circumstances, it is to be regretted that the soldiers to whom the paper was issued have been obliged by their necessities to submit to the extortion of money-changers.

Turning now to the financial condition of the

State, we find that the Provisional Government commenced with a prospect as little flattering as could well be conceived.

There was so small a sum in the Treasury, and it subject to previous appropriations, that it is right to call the Treasury empty. Our credit was gone, because we had already failed to pay our July interest. The sheriffs of counties rather than attempt to collect the taxes of last year, were resigning their offices, and such was the state of the country that there appeared but little ground to hope that money sufficient would be collected to carry on the government. Even now, after quiet has been restored in a large part of the State, the Auditor reports that but in forty-one counties have the Sheriffs receipted for the tax books of 1861. These are chargeable with revenue to the amount of $604,220, and they have paid in $253,386. Besides this sum, there has been received for licenses from St. Louis county, $26,038, making an aggregate of receipts for the taxes of 1861, of $279,425. Of the amount paid into the Treasury, about $100,000 has been paid in Defence Warrants.

Although it is impossible to present to you an accurate statement of the amount of uncollected taxes for the year 1861, it will be seen that it must be very large, when from the forty-one counties in which the Sheriffs have received the tax books, $350,834 remains to be paid into the Treasury, and there are seventy-three counties in which the collection has not yet been attempted.

As it is unknown how far the Convention will feel itself required to deal with the financial questions that belong to ordinary legislation, no scheme of action will be submitted here with a view to expedite the collection of the revenue due the State. The officers in the different counties are finding it more easy to make collections as the peace of the country becomes better established; and while there are still many counties in which officers have not been appointed, because in their disturbed condition no suitable persons have been recommended, yet the number is slowly diminishing, and with the restoration of quiet will begin the collection of revenue.

The Auditor will report to you the state of the finances, and will make such suggestions as, in his opinion, are important in relation to the revenue.

You will see from this brief statement, that the Provisional Government is not in a worse condition, financially, than when it was established. It is true that another instalment of interest upon our bonds has become due and is unpaid; but it may be assumed that the holders of our bonds have not expected us to pay the interest when the tide of war was rolling over our State, and that they will not find in our failure to pay, under such circumstances, any reason to doubt our purpose to pay ultimately.

Your ordinance, passed at your October session, vacating the offices of those who refused to take the oath of allegiance therein prescribed, has occasioned numerous changes among the holders of offices. There still remain many offices to be filled, as the progress in obtaining information about persons suitable to be appointed has been in some parts of the State very slow.

So far as is known, the appointments have given general satisfaction, and there is reason to hope that the interests of the State have not suffered by the change.

There is an ambiguity in this ordinance which would now require too much time to state, but which will need a short explanatory ordinance. The matter will be brought to the attention of some one of your committees.

In this glance at the principal operations of the Provisional Government, it is hoped that you will find the result to be that much good and no evil has been done, either to the people or to the principles of Constitutional Government.

In the largest part of the State, courts of justice are open, and the law regularly administered. The people are generally pursuing their ordinary vocations in peace and security, and confidence is being gradually though slowly restored.

It is true that in some parts of the State there are yet disturbances, and crimes the most brutal are perpetrated by outlaws, who would fain conceal the base character of their enormities by calling them guerrilla warfare. They can propose to themselves no end but the gratification of a fiendish malignity. Certainly neither patriotism nor humanity can sanction their conduct. It is believed that a sufficient force is provided to compel them to peace.

Although our State has been visited by a class of troops who came with feelings of hostility to our people and to our institutions, and who, under the guise of supporting the Union, perpetrated enormous outrages upon our citizens, yet successful measures have been adopted for the security of our people and for the removal of such troops, so as to relieve us from their presence in the future.

The thought has often presented itself, suggested by the conduct of such troops, that if the armies which have marched over every part of our State had come into and marched through it as through a country that was altogether hostile, we should have found ourselves now in a country altogether desolated.

But it may be ascribed to the Convention, and to the kindness of a controlling Providence using the Convention, that, although the State has suffered greatly, it has not been entirely ruined.

And if the effort to restore the State Government should be entirely successful, and peace and prosperity once more should be established in the State, the praise will be given by a happy people, first to God who rules all nations, and under Him to the patriotism and wisdom of the Convention which He has employed.

But the work is not yet completed, and still demands that all the wisdom and energy of all the true friends of the State should be employed in harmonious counsel and united action in building up and cementing the fabric we are laboring to rear. It would be most disastrous if the laborers engaged in this patriotic work should allow themselves to be diverted from their undertaking by anything that will distract their attention or diminish their energy.

In the call under which you are now assembled, one subject is mentioned as requiring your action—that is, dividing the State into Congressional Districts.

We are entitled to nine Representatives in the next Congress, and it is required that they should be elected by districts.

In these times of extreme ultraism, our Representatives should appear in the House, as elected in such manner as to be entitled to their seats without question. It is true that on a former occasion of increase in our Congressional representation, the General Assembly adopted a plan of electing the additional members without there having been new districts provided for them before the general election. But in present circumstances, it is not prudent to leave any question of their right open to discussion.

It is altogether questionable whether our plan of electing members of Congress, some seventeen months before they ordinarily take their seats, is wise.

In times like the present, when new and startling questions are frequently arising, the Representative who may be elected in August, 1862, may find all the questions with reference to which he was elected, settled when he takes his seat in December, 1863, and that new and more momentous issues have arisen since his election, upon which his constituents have not expressed their will.

Although it is time that, upon an extraordinary occasion, Congress may be called so as to require his attendance before the first Monday in December, yet such are exceptional cases, and do not affect the principle that the Representative ought to be chosen because of the conformity of his opinions to those of his constituents upon the questions upon which he is to act.

There are other strong objections to our time of electing members of Congress, but as it is not intended to make any recommendations upon this subject, time will not be occupied in stating them.

In your ordinance, passed at your July session, establishing the Provisional Government, it was provided that an election of executive officers should be held in November, and that at that election a vote should be taken upon the question, whether your action in establishing such government should be ratified. The vote was subsequently postponed until the general election in next August.

It is submitted for your consideration, whether that part of the ordinance ought not to be annulled.

More than 30,000 of our people are volunteers in the service of the United States, most of the number being out of the State. Their voice should be heard on a question so vitally affecting their State, and yet it has been found that all votes in military camps, taken under laws that have directed such votes, have afforded opportunities for imposition, which it is almost impossible to guard against. It is clearly right that the voice of this class of citizens should be heard, but to take their votes in distant camps involves too much of imposition to be attempted.

There is another consideration of the greatest moment. The question to be voted upon is, under existing circumstances, not a question between the Provisional Government and some other administration of the State Government, but between the Provisional Government and no government at all; for every person knows that the former executive officers would be immediately arrested for treason if they came within reach of the officials of the United States. After the Provisional Government has been in

operation for a year no such question ought to be considered open to discussion.

Whether you should think it necessary or not to require any oath of loyalty as a general qualification for all voters at the approaching August election, it is submitted to you as a matter demanding your action, that an oath of office beyond that prescribed by the Constitution should be required of all persons who may be elected to office. The oath prescribed by the Constitution is so general, that, though its terms, when rightly understood, comprehend the great duties of a citizen to his Government, yet it fails to impress the minds of those who take it with a clear idea of the obligation it imposes.

Again, the oath thus prescribed is altogether prospective in its requirements, but the State should be protected against persons who have in the past been unfaithful.

These are the subjects which at this time most require your attention.

H. R. GAMBLE.

On motion of Mr. HALL of B., the message was laid on the table, and two hundred copies ordered to be printed for the use of the Convention.

Mr. HITCHCOCK offered the following resolutions:

Resolved, That the following committees be appointed by the Convention to take into consideration the suggestions made by the Governor, to-wit:

1st. A Committee on Elections and Elective Franchise, to consist of five members.

2d. A Committee on Congressional Districts, to consist of nine members.

3d. A Committee on Finance, to consist of five members.

4th. A Committee on the State Constitution, to consist of five members.

5th. A Committee on the Militia, to consist of five members.

Mr. WELCH offered the following amendment, which was adopted:

Strike out the words "the Convention" and insert the words "the President."

Mr. HOWELL offered the following as a substitute, which was rejected:

Resolved, That a Committee of five be appointed to take into consideration and report such Committees as may be necessary for this Convention.

On motion of Mr. ZIMMERMAN, the Convention adjourned until to-morrow morning at 9 o'clock.

SECOND DAY.

TUESDAY MORNING, June 3, 1862.

The Convention met pursuant to adjournment.

Prayer by the Chaplain, Mr. ALLEN.

The PRESIDENT announced the following members as composing the Committees under the resolution of Mr. Hitchcock, adopted on yesterday:

Congressional Districts—Messrs. Broadhead, Rowland, Doniphan, Henderson, Orr, Phillips, How, Woolfolk, and Bogy.

Militia—Messrs. Stewart, McClurg, Jackson, Leeper, and Jamison.

Elections and Elective Franchise--Messrs. McFerran, Hitchcock, Howell, Vanbuskirk, and Rankin.

State Constitution—Messrs. Hall of B., Breckinridge, Welch, Moss, and Pomeroy.

Finance—Messrs. Douglass, Marvin, Collier, Dunn, and Zimmerman.

Mr. STEWART offered the following, which was read and referred to the Committee on Elective Franchise:

Resolved, That all men, whether civilians or soldiers, who have been found in arms against the Government of the United States, and all neutrals who have given them aid or comfort, be disqualified to vote.

Mr. DOUGLASS presented a petition from citizens of Moniteau county, praying the passage of an ordinance disqualifying from

voting for twenty-one years all persons who have not always been true and loyal citizens of the United States Government.

Mr. EITZEN offered the following ordinance, which was, on motion, referred to the Committee on Elections:

Be it ordained by the People of the State of Missouri in Convention assembled:

That an act passed on March 8th, 1861, concerning the election of County Court Justices in Gasconade county, be and the same is hereby repealed.

Mr. SCOTT offered the following ordinance, which was referred to the Committee on Elections:

Be it ordained, by the People of the State of Missouri, as follows:

1st. Before any person shall be allowed to vote at any election within this State, they shall be required to take the following oath—"You do solemnly swear that you have not taken up arms against the Government of the United States, nor the Provisional Government of this State, nor given aid or comfort to the enemies of either: so help you God."

2d. It shall be the duty of judges of election within this State, or any one of them, to administer said oath; and any judges neglecting or refusing to administer said oath, when required so to do, or who shall allow any person to vote who has not taken said oath, shall, on conviction, be adjudged guilty of a misdemeanor in office and punished by a fine of not less than one hundred dollars, or imprisoned in the county jail not less than two months.

3d. Any person falsely taking said oath, shall, on conviction, be adjudged guilty of perjury, and punished accordingly as now provided by law.

4th. All persons holding any civil office in this State shall be required to take the oath in the first section of this ordinance; and any civil officer neglecting or refusing to take said oath for twenty days after the passage of this ordinance, his or their office is hereby declared vacant.

5th. Said oath may be administered by any person authorized to administer an oath; but all State officers, State, Circuit and County Clerks and Sheriffs, shall cause their affidavits to be filed in the office of the Secretary of State, duly certified by the officer administering the same, and the certificate of the County Clerk as to their official character, within the time prescribed by the fourth section of this ordinance.

6th. All officers not mentioned in the first section of this ordinance shall file their affidavit in the County Clerk's office of their respective counties.

7th. The fourth, fifth and sixth sections of this ordinance shall apply to all persons who may hereafter be elected or appointed to any civil office within this State, except that they shall be required to comply with the requirements of said sections within twenty days after their election or appointment; and it shall be the duty of the County Clerks to notify the Governor of all officers who have not complied with said sections within their counties, whose duty it shall be to fill said vacancy by appointment.

8th. The Legislature of this State may modify, amend, or repeal this ordinance whenever in their judgment they may deem it expedient.

Mr. MCCORMACK offered the following resolution, which was read, and on his motion referred to the Committee on Militia:

"*Be it enacted by the People of the State of Missouri in Convention assembled,* That all soldiers enlisted in the service of the State of Missouri in compliance with a call of the Governor of this State made August 24th, 1861, and who shall have been honorably discharged by reason of physical disability existing prior to such enlistment, shall, according to rank, be entitled to and receive payment for the time they were in the actual service of the State."

Mr. MEYER offered the following resolution, which was adopted:

Resolved, That Henry C. Warmouth was duly elected doorkeeper at the last session of this Convention, and is entitled to his position.

Mr. COMINGO offered the following ordinance, which was read, and on his motion referred to the Committee on Elections and Elective Franchise:

"*Be it ordained by the People of the State of Missouri in Convention assembled:* That every candidate for any office in the gift of the people of the State of Missouri, before his name shall be placed on the poll-books at any election held by virtue and in pursuance of the laws or ordinances of the State, shall file in the office of the clerk of the County Court of the county in which he resides his affidavit to the following effect:

"I, ———, of the county of ———, candidate for the office of ———, do solemnly and truly swear, that I will support the Constitution of the United States and the Constitution of the State of Missouri; that I have at all times been loyal and true to the Government of the United States; that I will not take up arms against said Government nor the Government of the State of Missouri, nor will I directly or indirectly give aid or comfort to the enemies of either of said Governments, but that I will well and faithfully labor to preserve, maintain and uphold both of said Governments; that I will do all in my power to protect them against all their enemies, whether domestic or foreign; that I will not at any time, nor in any manner, countenance any plan, effort or purpose to disturb the present Federal relations of the State of Missouri with the United States, nor to interfere with or disturb the authority of the Government of the United States in any place or State where it now is or has heretofore been, or may hereafter be exercised, nor will I leave any of such plans, efforts or purposes unexposed should they come to my knowledge or should I receive information thereof; and that I take this oath freely and voluntarily, without any mental reservation or evasion whatsoever, with a full determination, pledge and purpose faithfully to observe and keep it, any ordinance, resolution or law of any State Convention, Legislature, order or organization, secret or otherwise, to the contrary notwithstanding. So help me God.

"Said affidavit may be made before any officer authorized to administer oaths in the county in which the affiant resides, and when made in any other county shall be made before a notary public or before the clerk of a court of record; and all candidates for all State offices shall cause a certified copy of said affidavit to be filed in the office of the Secretary of State for the State of Missouri on or before the day of election to fill the office or offices to which they aspire, and any failure or refusal to take and file the affidavit as hereinbefore required shall render null and void all votes cast for the candidate so failing or refusing."

Mr. WELCH offered the following ordinance, which was read and referred to the Committee on the State Constitution:

Be it ordained by the People of the State of Missouri in Convention assembled, as follows:

SECTION 1. The Senate shall consist of not less than twenty-five nor more than thirty-three members, for the election of whom the State shall be divided into convenient districts, which may be altered from time to time as public convenience may require; and the Senators shall be apportioned among the several districts according to the number of free white male inhabitants in each: *Provided,* that when a Senatorial district shall be composed of two or more counties, the counties of which said district is composed shall not be entirely separated by any county belonging to another district, and no county shall be divided in forming a district. If any vacancy shall occur in any Senatorial district, by death, resignation, or any other cause, the Governor shall, on being satisfied that a vacancy exists, issue a writ of election to fill such vacancy; but every election to fill a vacancy shall be for the residue of the term only.

SEC. 2. Immediately after the assembling of the Senate in consequence of the first election hereafter to be held, the Senators shall be divided by lot, as equally as may be, into two classes. The seats of the Senators of the first class shall be vacated at the expiration of the second year, and of the second class at the expiration of the fourth year, so that one-half of the Senators may be chosen every second year.

SEC 3. The sixth and seventh sections of

the third article of the Constitution of the State of Missouri be and the same are hereby abolished.

Mr. ZIMMERMAN offered the following, which was referred to the Committee on Elections:

Resolved, That if the Committee on Elections and the Elective Franchise should see proper to report a bill disfranchising voters of southern feeling, they also be instructed to include in that bill all abolitionists.

Mr. DOUGLASS then offered the following, which was referred to the Committee on Elections:

Resolved, That at the next August election, and at all other elections hereafter held in this State, the vote shall be cast by ballot.

Mr. WELCH offered an ordinance entitled "An ordinance in relation to Assessors and Collectors, and providing for the payment of certain accounts." Read and referred to the Committee on Finance.

On motion of Mr. ROWLAND, the Convention adjourned *until 2 o'clock P. M.*

EVENING SESSION.

The Convention met pursuant to adjournment.

Mr. GRAVELLY offered the following resolution, which was referred to the Committee on Elections:

Resolved, That the Committee on Elections be and are hereby instructed to inquire into and report as to the expediency of permitting the officers and soldiers in the service of the United States, or in the service of the State of Missouri, who at the time of entering the service were citizens of the State of Missouri, to vote in their respective camps for candidates for State and county offices that may have to be filled by an election of the people during the time said officers and soldiers may remain in the services mentioned.

On motion of Mr. LEEPER,

Resolved, That Judge McFerran be added to the Committee on the Militia.

Mr. SMITH of St. Louis offered the following resolution, which was adopted:

Resolved, That the Committee on Elections and Elective Franchise be instructed to inquire into the expediency of postponing the election of Governor, Lieutenant Governor, and Secretary of State, until the regular time prescribed by the Constitution for the election of State officers, and to report by ordinance or otherwise.

On motion of Mr. DOUGLASS,

Resolved, That Messrs. Bush and Meyer be added to the Committee on Finance.

Mr. WOOLFOLK offered the following:

WHEREAS, the calamities of war have deprived this Convention, and the country, of the services on this floor of Col. Jacob T. Tindall, who fell at the head of his regiment on Sunday, the 6th day of April, 1862, on the battle-field of Shiloh; therefore,

Be it Resolved, 1st. That in the death of Col. Jacob T. Tindall this Convention has lost a valued member, whose intellect, energy and patriotism, and conservative views, rendered him an able and efficient member of this body; that by his untimely fall the nation has lost a devoted patriot in the hour of her peril, the army a prudent and brave commander, the society in which he moved an ornament, and his family an affectionate husband and father.

2d. That in testimony of our appreciation of the deceased, and from due regard to his memory, this Convention will now adjourn until to-morrow morning, nine o'clock, and that the members wear the usual badge of mourning during the present session.

3d. That we tender the condolence of the members of this body to the family and immediate friends of Col. Tindall in their sad bereavement; that these resolutions be spread upon the Journal of the Convention, and that a copy thereof be prepared by the Secretary and forwarded to Mrs. Emeline W. Tindall, the wife of the deceased.

After appropriate and touching addresses upon the life and character of the deceased, by Messrs. Woolfolk, Shanklin, Stewart, and Breckinridge, the resolutions were adopted and the Convention adjourned.

THIRD DAY.

WEDNESDAY MORNING, June 4, 1862.

The Convention met pursuant to adjournment.

Prayer by the Chaplain.

The roll was called, when the following additional members answered to their names, viz:

Messrs. Bridge, Bush, Calhoun, Drake, Frayser, Hall of Randolph, Hendrick, Irwin, Ross, and Shackelford of St. Louis.

Mr. POMEROY offered the following resolution, which was adopted:

Resolved, That the name of J. W. McClurg be added to the Committee on Congressional Districts.

On motion of Mr. PHILLIPS, the Convention adjourned until 3 o'clock P. M.

EVENING SESSION.

The Convention met pursuant to adjournment.

Mr. ALLEN offered the following resolution, which was read and referred to the Committee on the Constitution:

Resolved by this Convention, That we repudiate and eschew all agitation of the slave question in the State of Missouri, at the present time.

Mr. BRIDGE offered the following, which on motion was referred to a select committee of seven, consisting of Messrs. Bridge, Allen, Bush, Calhoun, Eitzen, Gravelly, and Isbell:

WHEREAS, the Convention has sufficient evidence before it of the disloyalty of certain of its members who have absented themselves from its deliberations, and are now, and have been for months past, absent from this State, and are now residents of the so-called "Confederate States," where they have been and are now engaged in the wicked and traitorous attempt to overthrow, by force of arms, the lawful authority of the United States Government, as well as the Provisional Government of this State; therefore,

Be it Resolved, That self-respect, as well as a sense of justice to the people of certain districts, who are without a full representation in this Convention, impel us to declare the seats of Sterling Price, late of Chariton county, a member from the Sixth Senatorial District; John R. Chenault, late of Jasper county, a member from the Seventeenth Senatorial District; Robert W. Crawford, late of Lawrence county, a member from the Eighteenth Senatorial District; V. B. Hill, late of Pulaski county, a member from the Twenty-second Senatorial District; Robert A. Hatcher, late of New Madrid county, a member from the Twenty-fifth Senatorial District; W. W. Turner, late of Laclede county, a member from the —— Senatorial District; N. W. Watkins, late of Cape Girardeau county, a member from the —— Senatorial District, and Uriel Wright, late of St. Louis county, one of the members from the Twenty-ninth Senatorial District, vacant, and their names be struck from the roll of the Convention.

Mr. POMEROY offered the following ordinance, which was read, and on motion referred to a select committee of three, consisting of Messrs. Pomeroy, Smith of Linn, and Welch:

Be it ordained by the People of the State of Missouri in Convention assembled, as follows:

1st. That the Secretary of State be and he is hereby authorized to forward to the clerk of Phelps Circuit Court, for the use of the county of Phelps, a full set of the bound volumes of the Supreme Court Decisions of the State of Missouri.

Mr. MEYER offered the following resolution, which was read and referred to the Committee on Elections and Elective Franchise:

Resolved, That the citizens of this State, who have by their own acts expatriated themselves, ought not to be permitted to vote at any future election, or to hold office, unless restored to their citizenship by appropriate legislation; and that an ordi-

nance to this end should be adopted by this Convention.

Resolved, That this Convention should by ordinance define the crime of conspiracy against the People and Provisional Government of this State, to be punished by fine, imprisonment, or banishment, according to the nature and degree of the crime committed.

Mr. POMEROY offered the following, which was read and referred to the Committee on the Constitution:

WHEREAS, under the present deranged condition of the country, there is, and has for some time past been, but little restraint thrown around the people, and a manifest want of protection to persons and property, in many counties in this State; and,

WHEREAS, it is only to the Judiciary of the State that the public can look with confidence for protection, and the restraint of crime, as well as the enforcement of municipal law; therefore,

Be it ordained by the People of the State of Missouri in Convention assembled, as follows:

1st. That if any person or persons shall wilfully disturb any court of record in this State, while the same is in session, so far as materially to hinder or delay in the administration of justice, and shall wilfully commit any act calculated to produce terror, whereby the court may be materially disturbed in its deliberations, or shall wilfully interfere with any officer of any court, sheriff, or coroner in the discharge of an official duty, while attending court or travelling under requirements connected with official duty—any person or persons so offending shall be subject to an indictment for a felony, and on conviction shall be punished by fine not less than five hundred dollars, and may be imprisoned not less than five years.

Mr. COMINGO presented the following ordinance:

Be it ordained by the People of the State of Missouri in Convention assembled;

SECTION 1. That the tax-payers of the counties of Jackson, Cass, and Bates, are hereby released and forever discharged from all indebtedness to the State of Missouri on account of taxes due for the year 1861, and also on account of all taxes due or to become due for the year 1862; provided, however, that nothing herein contained shall be so construed as to release or discharge non-residents of said counties from the payment of taxes for said years on property belonging to them within the limits thereof.

SEC. 2. That the County Courts in said counties are hereby authorized to withhold from the collectors of taxes the tax books for the year 1861, and upon the assessments made for the year 1862 they are authorized to levy and collect for county purposes the taxes for both of said years, and they are also authorized and required to cause to be collected from non-residents of said counties the full amount of taxes due the State for the same period.

Mr. MCDOWELL moved to amend by adding the counties of Dade, Jasper, Cedar, Benton, and Vernon.

Mr. ORR offered the following substitute for the amendment:

"Amend by adding the counties composing the Sixth Congressional District, except Gasconade, Osage, and Maries."

The ordinance and amendments were, on motion, referred to the Committee on Finance.

Mr. MCFERRAN, from the Committee on Elections and Elective Franchise, reported the following ordinances, viz.: "An ordinance defining the qualifications of voters and civil officers in this State;" "An ordinance continuing the present Provisional Government in office," and "An ordinance repealing certain ordinances submitting the action of the Convention to a vote of the people of Missouri."

Mr. HOWELL, from the same Committee, submitted as a minority report, "An ordinance postponing the election to be held in August, 1862, &c."

The report, together with all the ordinances, were laid on the table, 200 copies ordered to be printed, and made the special order for to-morrow at 2 o'clock.

On motion of Mr. BROWN, the Convention adjourned until to-morrow at nine o'clock.

FOURTH DAY.

THURSDAY MORNING, June 5, 1862.

The Convention met pursuant to adjournment, and was opened with prayer by the Chaplain.

Mr. BROADHEAD, from the Committee on the Congressional Districts, reported "An ordinance for dividing the State into nine Congressional Districts," which was laid on the table and ordered to be printed, and made the special order for to-morrow at 10 o'clock. The report is as follows:

"The Committee on Congressional Districts beg leave to make the following report:

"The State of Missouri being entitled to nine Representatives in Congress, according to the Federal census for the year 1860, the State has been divided into nine districts. The representative population for the State, as ascertained from the census tables, is 1,136,106, which will give 126,234 as a ratio for a representative. The city and county of St. Louis having a representative population of 188,785, much larger than the ratio, your committee found it necessary to divide it in forming the districts.

"They submit the following as the districts agreed upon, and which, though some of them exceed and some fall below the ratio, yet, after much labor, they have been unable to adopt any plan which would more nearly approximate the ratio for each district than the one which is presented.

BROADHEAD, *Ch'n.*"

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AN ORDINANCE PROVIDING FOR LAYING OFF THE STATE INTO CONGRESSIONAL DISTRICTS.

Be it ordained by the People of the State of Missouri in Convention assembled:

SECTION 1. The State of Missouri is hereby divided into nine Congressional Districts, the qualified voters of each District to elect one member to the Congress of the United States.

SEC. 2. The *First District* shall be composed of the fourth, fifth, sixth, seventh, eighth, ninth and tenth wards of the city of St. Louis, as now established, all that part of St. Louis township north of the Manchester road, and St. Ferdinand township and Central township, of the county of St. Louis.

The *Second District* shall be composed of the first, second and third wards of the city of St. Louis, as now established, all that part of St. Louis township south of the Manchester road, and Carondelet township, Bonhomme township and Meramec township of the county of St. Louis; also, the counties of Jefferson, Franklin, Gasconade, Osage, Maries, Crawford, Phelps, and Pulaski.

The *Third District* shall be composed of the counties of Dunklin, Pemiscot, New Madrid, Mississippi, Stoddard, Butler, Ripley, Scott, Wayne, Reynolds, Shannon, Cape Girardeau, Bolinger, Madison, Iron, Dent, Perry, Ste. Genevieve, St. François, Washington, Carter, and Oregon.

The *Fourth District* shall be composed of the counties of Barton, Jasper, Newton, McDonald, Barry, Lawrence, Dade, Cedar, Polk, Greene, Christian, Stone, Taney, Webster, Dallas, Laclede, Wright, Douglass, Ozark, Texas, and Howell.

The *Fifth District* shall be composed of the counties of Cass, Bates, Vernon, Johnson, Henry, St. Clair, Hickory, Benton, Pettis, Cooper, Moniteau, Cole, Morgan, Miller, and Camden.

The *Sixth District* shall be composed of the counties of Clinton, Clay, Platte, Jackson, Caldwell, Ray, Lafayette, Carroll, Saline, and Chariton.

The *Seventh District* shall be composed of the counties of Atchison, Holt, Nodaway, Andrew, Buchanan, DeKalb, Gentry, Daviess, Harrison, Livingston, Grundy, Mercer, Linn, Putnam, and Worth.

The *Eighth District* shall be composed of the counties of Sullivan, Schuyler, Scot-

land, Clark, Adair, Knox, Lewis, Marion, Shelby, Macon, Randolph, and Howard.

The *Ninth District* shall be composed of the counties of Monroe, Ralls, Audrain, Pike, Lincoln, Montgomery, Callaway, Boone, Warren, and St. Charles.

Mr. BUSH offered the following resolution, which was referred to the Committee on the Constitution:

Resolved, That the number of members of the House of Representatives be reduced to one hundred (100), and that an apportionment of the State be made in accordance therewith.

Mr. SCOTT offered the following resolution, which was referred to the Committee on Finance:

Resolved, That the Committee on Finance be instructed to inquire into the necessity of taking any action for the purpose of passing the tax books for the year 1861, that have not heretofore been received into the hands of the collectors of their respective counties, and report by ordinance or otherwise.

Mr. HALL, of Buchanan, offered an ordinance entitled, "An ordinance amending 'An ordinance providing for abolishing certain offices, reducing salaries and testing the loyalty of civil officers in this State;'" which, on motion, was laid on the table and 200 copies ordered to be printed.

Mr. MCFERRAN, from the Committee on Elections and Elective Franchises, made the following report:

"Mr. President:—The Committee on Elections and Elective Franchises have had under consideration an ordinance introduced by Mr. Eitzen to repeal an act passed March 8, 1861, concerning the election of County Court Justices in Gasconade county, and beg leave to report its rejection for the reason that the Committee deem it improper to enter into the repeal of special laws, which properly and legitimately belongs to the Legislative department, and, if once entered upon by this Convention, would protract its session indefinitely, to the great detriment of the public interest, requiring all the time of this body in consideration of questions of immediate and great importance to the people of the whole State.

MCFERRAN, *Ch'n.*"

On motion of Mr. LEEPER, the Convention adjourned until 2 o'clock, P. M.

EVENING SESSION.

The Convention met pursuant to adjournment.

On motion of Mr. MCFERRAN, the "Ordinance defining the qualifications of voters and civil officers in this State" was taken up and considered by sections.

Mr. ORR moved to amend the first section as follows: "Strike out all after the word 'State' in the 4th line, to and including the word 'ordinance' in the 6th line;" pending the consideration of which,

On motion of Mr. PHILLIPS, the House adjourned until to-morrow morning, at 9 o'clock.

FIFTH DAY.

FRIDAY MORNING, June 6, 1862.

The Convention met pursuant to adjournment, and was opened with prayer by the Chaplain.

The Journal was read and approved.

Mr. DOUGLASS, from the Committee on Finance, made the following report:

"The Committee on Finance, to whom was referred the ordinance submitted by the member from Johnson county, report the said ordinance and recommend its adoption as amended by them.

WM. DOUGLASS,
GEORGE W. ZIMMERMAN,
FERDINAND MEYER,
ISADOR BUSH,
SAMUEL C. COLLINS,
GEORGE W. DUNN."

The ordinance as amended was laid on the table, and two hundred copies ordered to be printed.

Mr. BRIDGE, from the Select Committee, made the following report:

"The Committee to whom the resolution was referred, declaring the seats of certain members of this body vacant, have had the same under consideration, and beg leave to submit the following report:

"That from the evidence before the committee they are satisfied that Sterling Price, Robert W. Crawford, and V. B. Hill, members of this Convention, are now, and have been for some months past, committing acts of flagrant rebellion against the lawful authority of the United States, as well as that of the Provisional Government of this State; that they have violated the oath which they voluntarily took when they were admitted as members of this Convention, and have proved recreant to their State, their country, and its cause; that they are in arms against the Government of the United States, and the Provisional Government of this State, and are giving their aid to the rebellion now waged for the overthrow and subversion of the Government of the United States; that in consequence of these criminal offences they are unworthy to hold seats in this body, and should therefore be summarily expelled from the same.

"That in regard to Uriel Wright, your committee have not any evidence before them that he has taken up arms against the United States, but have evidence that he has left this State and espoused the rebel cause, and has given aid and comfort to our enemies by public speeches and otherwise, and is therefore unworthy a seat in this Convention, and recommend that he be expelled from the same.

"In regard to John R. Chenault and Robert A. Hatcher, named in the resolution under consideration, your committee are unable to obtain any testimony of their having taken up arms against the Government of the United States, or the Provisional Government of this State; but the testimony before them goes to show that they are not at present citizens of this State, having removed from it. Your committee would therefore recommend that their seats be declared vacant.

"In the case of N. W. Watkins, late of Cape Girardeau county, a member of this Convention, your committee, from the evidence before them, find that he accepted a commission as a Brigadier General from C. F. Jackson, late Governor of this State, for the purpose of organizing and equipping troops for the State service; that he proceeded to act under his commission, but at a subsequent period threw it up, and has for some time past been absent from the State. Whether he intends to return to the State is unknown to your committee; they, however, recommend that his seat in this Convention be declared vacant.

"In regard to W. W. Turner, late of Laclede county, and a member of this Convention, whose name also appears in the resolution under consideration, your committee have evidence of the commission of criminal acts committed by him during the recess of this Convention, and of his now being a fugitive from this State, whose laws

he has outraged. Your committee therefore recommend his expulsion from his seat in this Convention.

"Your committee offer the following resolutions and recommend their adoption:

"*Resolved*, That Sterling Price, Robert W. Crawford, V. B. Hill, Uriel Wright, and W. W. Turner, be and are hereby expelled from their seats in this Convention.

"*Resolved*, That the seats of John R. Chenault, Robert A. Hatcher, and N. W. Watkins in this Convention be and are hereby declared vacant, and that the above eight names be struck from the rolls of the Convention.

BRIDGE, *Chairman*."

Mr. PIPKIN moved to strike the name of N. W. Watkins from the second resolution, upon which motion he called the ayes and noes, and was decided in the negative by the following vote:

AYES—Messrs. Bass, Bast, Collier, Drake, Flood, Marmaduke, Matson, Pipkin, Ray, Ross, Welch, and Woodson—12.

NOES—Messrs. Allen, Bogy, Breckinridge, Broadhead, Bridge, Brown, Bush, Calhoun, Cayce, Comingo, Doniphan, Douglass, Dunn, Eitzen, Frayser, Gravelly, Hall of B., Hall of R., Henderson, Hendricks, Hitchcock, Holmes, How, Howell, Irwin, Isbell, Jackson, Johnson, Kidd, Leeper, Linton, Long, Marvin, McClurg, McCormack, McDowell, McFerran, Meyer, Moss, Orr, Phillips, Pomeroy, Rankin, Rowland, Scott, Shackelford of St. L., Shanklin, Smith of L., Smith of St. L., Stewart, Waller, Woolfolk, Vanbuskirk, Zimmerman, and Mr. President—55.

Mr. GRAVELLY moved to strike out the name of John R. Chenault from the 2d section, which was decided in the negative.

Mr. DUNN moved to strike out the name of Uriel Wright in the 1st section, and insert it in the 2d resolution. Decided in the negative.

The resolutions were then unanimously adopted.

Mr. VANBUSKIRK presented a petition from the citizens of the Fourth Senatorial District asking for the expulsion of Prince L. Hudgens, as a member of this Convention.

The Convention proceeded to the consideration of the question pending at the adjournment on yesterday, viz., the amendment of Mr. Orr to strike out in the 1st section of an ordinance, reported from the Committee on Elections, defining the qualifications of voters and civil officers in this State, the following words: "Nor to vote at any election held under or in pursuance of said Constitution and laws from and after the passage of this ordinance."

Mr. SMITH of St. Louis moved to refer the ordinance and amendment to the Committee on Elections. Motion decided in the negative.

On motion of Mr. WELCH, the Convention adjourned until 2 o'clock this afternoon.

EVENING SESSION.

The Convention met pursuant to adjournment.

Mr. MCCLURG, on leave, presented a petition from citizens of Callaway county, asking the passage of an ordinance to prohibit rebels, or rebel sympathizers, from voting at the next elections; which was referred to the Committee on Elections.

On motion of Mr. HUDGENS, Messrs. Irwin, Hendrick, Moss, Shanklin and McDowell were appointed by the President as a committee to act upon the petition presented by Mr. Vanbuskirk on this morning, which asks the expulsion of said Hudgens as a member of this Convention.

The question before the Convention being stated by the President to be on agreeing to the amendment offered by Mr. Orr, to the 1st section of "An ordinance defining the qualifications of voters and civil offcers in this State"—

Mr. WELCH moved to adjourn until tomorrow morning at 9 o'clock. Negatived.

The question on agreeing to the amendment of Mr. Orr was decided in the affirmative by the following vote, the ayes and noes being demanded by Mr. Rowland:

AYES—Messrs. Allen, Bass, Bast, Birch, Brown, Calhoun, Cayce, Collier, Comingo, Doniphan, Douglass, Drake, Dunn, Frayser, Flood, Gravelly, Howell, Hudgens, Jackson, Kidd, Long, Marmaduke, Matson, McDowell, McFerran, Moss, Orr, Phillips, Pipkin, Pomeroy, Rankin, Ray, Ross, Rowland, Shackelford of St. Louis, Shanklin, Smith of L., Waller, Welch, Woodson, Woolfolk,

Vanbuskirk, Zimmerman, and Mr. President—44.

Noes—Messrs. Bogy, Breckinridge, Broadhead, Bridge, Bush, Eitzen, Hall of B., Hall of R., Hendricks, Hitchcock, Holmes, How, Irwin, Isbell, Johnson, Leeper, Linton, Marvin, McClurg, McCormack, Meyer, Scott, and Smith of St. L.—24.

On motion of Mr. Bridge, the ordinance was recommitted to the Committee on Elections.

Mr. Welch moved to adjourn until 8½ o'clock to-morrow morning, which was decided in the negative.

Mr. Howell moved that the Committee on Elections be instructed to make a report on the basis of an ordinance reported by a minority of said committee, dispensing with the election, in the year 1862, of certain State and county officers mentioned in said ordinance.

Mr. McFerran, from the Committee on Elections and Election Franchise, reported "An ordinance to enable citizens of this State in the military service of the United States or the State of Missouri to vote," which was, on his motion, laid on the table, and 200 copies ordered to be printed.

On motion of Mr. McFerran, the Convention adjourned until to-morrow morning at 9 o'clock.

SIXTH DAY.

Saturday morning, June 7, 1862.

The Convention met pursuant to adjournment, and was opened with prayer by the Chaplain.

On motion of Mr. Moss, the reading of the Journal of yesterday was dispensed with.

The President laid before the Convention a communication from the Warden and Inspectors of the Penitentiary, inviting them to a visit and examination of said building, and of the manner in which the convicts were treated.

Mr. Breckinridge presented the following ordinance, entitled

AN ORDINANCE TO PROVIDE FOR SUBMITTING TO A VOTE OF THE PEOPLE OF MISSOURI CERTAIN AMENDMENTS TO THE CONSTITUTION, AND A SCHEME FOR THE GRADUAL EMANCIPATION OF SLAVES.

Be it ordained by the People of the State of Missouri in Convention assembled, as follows:

Section 1. That the first and second clauses of the 26th section of the 3d article of the Constitution be and the same are hereby abolished.

Sec. 2. That all negroes and mulattoes who shall be born in slavery in this State, from and after the first day of January, A. D. 1865, shall be deemed and considered slaves until they shall arrive at the age of twenty-five years, and no longer, unless sooner permanently removed from the State.

Provided, always, That it shall be the duty of the General Assembly of this State, at its first regular session after this ordinance shall take effect, or as soon thereafter as may be practicable, to provide by law for the payment to the owners of those negroes and mulattoes who would but for this ordinance have been born slaves for life, a full equivalent for their value at the expiration of their term of service, and also to provide by law for their removal to such place or places beyond the limits of this State as may be designated by the General Assembly, at the expense of the State, of such persons as they arrive at the age of twenty-five years; and also to address a memorial to the Congress of the United States, announcing the acceptance by the State of Missouri of the offer made in the resolution recommended for adoption by the President of the United States, approved April —, 1862, and asking a fulfilment of the pledge therein contained, to aid those States which should provide by law for the emancipation of slaves, in bearing the burdens thereby incurred.

Sec. 3. That it shall be the duty of every person who shall be the owner, or who shall have charge for the owner or owners thereof, of any negro or mulatto born in this State after the first day of January, A. D. 1865, to deliver, or cause to be delivered, within six months af-

ter the birth of said negro or mulatto, to the clerk of the County Court of the county in which he or she may reside, or in which said negro or mulatto may be born, to be duly filed and recorded in his office in a record book to be provided for that purpose, a paper duly signed, stating the name, age and sex of said negro or mulatto, and the name and residence of the owner or owners thereof; and failing in this, shall be deemed to have relinquished all claim for compensation as provided in section two for said negro or mulatto so not registered.

SEC. 4. That from and after the date at which this ordinance shall take effect, no slaves shall be brought into this State.

SEC. 5. That at the election for State officers to be held on the first Monday of August, A. D. 1864, the several clerks of the County Courts, or, in case said clerks shall fail to do so, then the clerks of the election, shall, in preparing the poll books for the election, enter thereon two columns, one headed "For gradual emancipation," and the other "Against gradual emancipation;" and if a majority of the legal votes given be for gradual emancipation, then this ordinance shall take effect and be in full force; and if a majority of the legal votes given be against gradual emancipation, then this ordinance shall be null, void, and of no effect: and when the result of said election shall be ascertained, the Governor of the State shall, by proclamation, announce the same.

The above ordinance, on motion of Mr. Hall of R., was laid on the table by the following vote, the ayes and noes being demanded by Mr. Zimmerman:

AYES—Messrs. Allen, Bass, Bast, Birch, Bogy, Brown, Calhoun, Cayce, Collier, Comingo, Doniphan, Douglass, Drake, Dunn, Frayser, Flood, Gravelly, Hall of B., Hall of R., Hendricks, Howell, Hudgens, Irwin, Jamison, Johnson, Kidd, Long, Marmaduke, Marvin, Matson, McCormack, McDowell, McFerran, Moss, Orr, Phillips, Pipkin, Rankin, Ray, Ross, Rowland, Shackelford of St. L., Shanklin, Sheeley, Smith of L., Waller, Welch, Woodson, Woolfolk, Vanbuskirk, Zimmerman, and Mr. President—52.

NOES—Messrs. Breckinridge, Broadhead, Bridge, Bush, Eitzen, Henderson, Hitchcock, Holmes, How, Isbell, Jackson, Leeper, Linton, McClurg, Meyer, Pomeroy, Scott, Smith of St. L., and Stewart—19.

Mr. HALL of R. then moved to reconsider the vote just taken, and to lay the motion to reconsider on the table, which motion was decided in the affirmative.

Mr. STEWART, from the Committee on the Militia, presented a report, which, on motion of Mr. McFerran, was recommitted to said committee.

Mr. MCCLURG, from the Committee on Militia, presented a report recommending the passage of "An ordinance for payment of Division Inspectors, and for other purposes;" also, "An ordinance for the appointment of artillery officers."

Mr. MCFERRAN, from the Committee on Elections, presented a majority report, recommending the passage of the following ordinance, as amended by the committee, "An ordinance defining the qualifications of voters and civil officers in this State;" which was, on his motion, laid on the table, and 200 copies ordered to be printed.

Mr. ORR offered the following resolution, which was adopted:

Resolved, That the President appoint a special committee to take into consideration the propriety of reporting an ordinance whereby the assessment and collection of the revenue can more effectually be accomplished.

Upon which, the President appointed the following gentlemen as said committee: Messrs. Orr, Bridge, Welch, Allen, and Woodson.

The ordinance entitled, "An ordinance providing for laying off the State into Congressional Districts," as reported by the Committee on Districts, was then taken up by the Convention and considered by sections.

The first section being read, was, on motion, agreed to.

The first, second, third, and fourth clauses of the second section were read and agreed to.

Upon the fifth clause of the second section Mr. WELCH offered the following amendment, which was rejected:

Amend by striking out "Moniteau, Cole, Morgan, Miller, and Camden," from the Fifth District, and adding the same to the Sixth District; and striking out "Lafayette, Saline, and Jackson," from the Sixth

District, and adding the same to the Fifth District.

The fifth and sixth clauses of said section were then agreed to.

Mr. SMITH of L. offered the following amendment:

Amend the seventh clause of second section by striking out "Linn" and inserting "Sullivan," and strike out "Sullivan" from the eighth clause and insert "Linn," which amendments were agreed to, and the seventh and eighth clauses of said section as amended were agreed to by the Convention.

The ninth clause of said section was then agreed to, and the ordinance as amended was then adopted by the Convention.

Mr. HENDERSON presented the memorial of Philander Draper, which was referred to a select committee, consisting of Messrs. Broadhead, Zimmerman, McFerran, Woolfolk, and Douglass.

On motion of Mr. MCFERRAN, "the ordinance defining the qualifications of voters and civil officers of this State," was taken up and made the special order for two o'clock P. M.

On motion of Mr. HALL of B., the ordinance introduced by him, entitled "An ordinance to amend 'An ordinance providing for abolishing certain offices, reducing salaries, and testing the loyalty of civil officers in this State,'" was taken up and adopted by the Convention.

Mr. MCFERRAN then called up the ordinance introduced by the Committee on Elections, entitled "An ordinance repealing certain ordinances submitting the action of the Convention to a vote of the people of Missouri;" pending the consideration of which,

On motion of Mr. ISBELL, the Convention adjourned until 2 o'clock P. M.

EVENING SESSION.

The Convention met pursuant to adjournment.

The special order, being the consideration of "An ordinance defining the qualifications of voters and civil officers of this State," was then taken up; when Mr. MCFERRAN moved to strike out the second section, which motion was agreed to.

Mr. MCFERRAN then offered the following amendment—amend by striking out the third section, and insert the following in lieu thereof:

"SEC. 3. Every person before he is elected or appointed to any civil office within this State, under the Constitution and laws thereof, whether State, county, township, municipal, or other civil office, shall take and subscribe an oath in form as follows: 'I, A. B., on oath, (or affirmation,) declare that I have not, during the present rebellion, taken up arms, or levied war, against the United States, nor against the Provisional Government of the State of Missouri, nor have wilfully adhered to the enemies of either, whether domestic or foreign, by giving them aid and comfort, but have always, in good faith, opposed the same. And further, that I will support, protect and defend the Constitution of the United States and of the State of Missouri against all enemies and opposers, whether domestic or foreign, any ordinance, law or resolution of any State Convention or Legislature, or any order or organization, secret or otherwise, to the contrary notwithstanding; and that I do this with an honest purpose, pledge and determination faithfully to perform the same, without any mental reservation or evasion whatever': which oath shall be filed in the office of the Secretary of State by candidates for State offices, and by candidates for all county and other offices in the office of the clerk of the County Court, (or other officer charged with equivalent duties,) in the county wherein they respectively reside, at least five days before the day of election; and no vote shall be cast up, or certificate of election granted to, any candidate who fails to file such oath, as required by this ordinance."

Mr. BIRCH moves to amend the third section by striking out all that part between the beginning of the fifth line and the word "further," inclusive, in the eighth line, and insert in lieu thereof the following: "That I will not during the present rebel-

lion take up arms or levy war against the United States, nor against the Provisional Government of the State of Missouri, nor give aid or comfort to the enemies or opposers of either, whether domestic or foreign."

The question being on the amendment offered by Mr. Birch, was decided in the negative by the following vote, the ayes and noes being demanded by Mr. Meyer:

AYES—Messrs. Bast, Birch, Comingo, Dunn, Frayser, Hudgens, Marmaduke, Matson, Pipkin, Ray, Ross, Waller, and Woodson—13.

NOES—Messrs. Allen, Bogy, Breckinridge, Broadhead, Bush, Calhoun, Cayce, Doniphan, Douglass, Flood, Gravelly, Hall of B., Hall of R., Henderson, Hendricks, Hitchcock, Holmes, How, Howell, Irwin, Isbell, Jackson, Johnson, Jamison, Kidd, Leeper, Linton, Long, Marvin, McClurg, McCormack, McDowell, McFerran, Meyer, Moss, Orr, Pomeroy, Rankin, Rowland, Scott, Shackelford of St. L., Shanklin, Smith of L., Smith of St. L., Stewart, Welch, Woolfolk, Vanbuskirk, Zimmerman, and Mr. President—49.

SICK—Mr. Sheeley.

PAIRED OFF—Messrs. Phillips and Brown.

The amendment of Mr. McFerran was then agreed to.

Mr. Moss then offered the following as a substitute for said ordinance:

SECTION 1. That the Governor, Lieutenant Governor, and Secretary of State, heretofore appointed by this Convention, shall continue in office until the first Monday in August, 1864, and until their successors are duly elected and qualified, and shall discharge the duties and exercise the privileges which pertain to their respective offices.

SEC. 2. That the election required by existing law to be held on the first Monday in August, in the year eighteen hundred and sixty-two, for Senators and Representatives in the General Assembly of the State, and for justices of the county courts, and for sheriffs, coroners and other county and township officers, be and the same is hereby dispensed with.

SEC. 3. In lieu of said election of sheriffs, county court justices, and coroners, above dispensed with, the Governor shall appoint a sheriff and coroner for each county in the State and county court justices in counties where vacancies may occur, who shall hold their respective offices for the same term and in like manner as if they had been elected on said first Monday in August, eighteen hundred and sixty-two.

SEC. 4. In the event of any other State, county or township office being or becoming vacant prior to the first Monday in August, eighteen hundred and sixty-three, by limitation, death, resignation, or otherwise, such office or offices so becoming vacant, shall be filled by the proper authorities under existing laws; (authorities to fill vacancies in such offices by appointment;) and officers appointed to fill vacancies as aforesaid shall hold their said offices for the same time as if they had been elected under existing laws.

SEC. 5. No person shall vote at any election to be hereafter held in this State, under or in pursuance of the Constitution and laws thereof, who shall not, in addition to possessing the qualifications already prescribed for electors, take an oath in form as follows, namely: "I, ———, do solemnly swear (or affirm, as the case may be) that I will support, protect and defend the Constitution of the United States, and the Constitution of the State of Missouri, against all enemies and opposers, whether foreign or domestic; that I will bear true faith, loyalty and allegiance to the United States, and will not, directly or indirectly, give aid, comfort, or countenance, to the enemies or opposers thereof, or of the Provisional Government of the State of Missouri, any ordinance, law or resolution of any State Convention or Legislature, or of any order or organization, secret or otherwise, to the contrary notwithstanding; and that I do this with a full and honest determination, pledge and purpose, without any mental reservation or evasion whatever: So help me God." And the judges of election, or one of them, shall administer such oath to all persons offering to vote.

By leave of the Convention, on motion of Mr. ALLEN, the thanks of this Convention are hereby tendered to the ladies of Jeffer-

son City for the bouquet presented by them to the Convention.

Pending the consideration of the substitute offered by Mr. Moss,

On motion of Mr. PIPKIN, the Convention adjourned until Monday morning at nine o'clock.

SEVENTH DAY.

MONDAY MORNING, June 9, 1862.

The Convention met pursuant to adjournment, Vice-President WELCH in the Chair, and was opened with prayer by Rev. Mr. ALLEN.

On motion of Mr. IRWIN, the reading of the Journal was dispensed with.

On motion of Mr. MCFERRAN, Mr. Stewart has leave to make a report, and also has leave to have said report printed in the papers of the day.

The question before the Convention being the substitute offered by Mr. Moss for the ordinance as reported by the committee,

Mr. Moss, by leave of the Convention, withdrew said substitute.

Mr. MCDOWELL offers a substitute for said ordinance, but after being read, withdrew the same.

Mr. BRECKINRIDGE offers the following amendment:

Amend 12th line of first section by inserting before the last sentence thereof, the following words: "And I do further solemnly swear (or affirm) that I have not, since the 17th day of December, A. D. 1861, wilfully taken up arms, or levied war, against the United States, or against the Provisional Government of the State of Missouri: So help me God."

Mr. SHANKLIN offered to amend the amendment by striking out the "seventeenth day of December," and inserting the "tenth day of June, eighten hundred and sixty-two."

Pending the consideration of which, on motion of Mr. MCFERRAN, the Convention adjourned until 2 o'clock P. M.

EVENING SESSION.

The Convention met pursuant to adjournment.

The question being on the amendment offered by Mr. Shanklin to the amendment offered by Mr. Breckinridge,

By leave of the Convention, Mr. HALL of B. presented a memorial from A. W. Morrison, late Treasurer, asking the Convention to receive the report as made by the committee appointed by Lieut.-Gov. Hall to investigate the accounts and books of his office, and to take such action thereon as may relieve him and his securities from any future responsibility as State Treasurer; which was, on his motion, referred to the Committee on Finance.

The Convention proceeded to the consideration of the amendment offered by Mr. Shanklin, which was disagreed to by the following vote, the ayes and noes being called for by Mr. Moss:

AYES—Messrs. Bass, Birch, Brown, Calhoun, Cayce, Collier, Comingo, Doniphan, Donnell, Drake, Dunn, Frayser, Flood, Howell, Hudgens, Jamison, Marmaduke, Matson, McDowell, McFerran, Moss, Orr, Pipkin, Ray, Ross, Rowland, Sayre, Shanklin, Sheeley, Waller, Woodson, and Zimmerman—32.

NOES—Messrs. Allen, Bast, Bogy, Breckinridge, Bridge, Bush, Douglass, Eitzen, Gravelly, Hall of B., Hendricks, Hitchcock, Holmes, How, Irwin, Isbell, Jackson, Johnson, Kidd, Leeper, Linton, Long, Marvin, McClurg, McCormack, Meyer, Phillips, Pomeroy, Rankin, Scott, Shackelford of St. Louis, Smith of St. L., Stewart, Welch, Woolfolk, and Vanbuskirk—37.

Mr. ORR offered thefollowing amendment: amend by adding to the amendment, "Nor have I since the 17th of December, 1861,

stole, taken, or pressed, any property contrary to law;" which was disagreed to by the following vote, the ayes and noes having been demanded by Mr. Orr:

AYES—Messrs. Bast, Cayce, Donnell, Hudgens, Marmaduke, Matson, Orr, and Pipkin—8.

NOES—Messrs. Allen, Birch, Bogy, Breckinridge, Brown, Bush, Calhoun, Comingo, Doniphan, Douglass, Drake, Dunn, Eitzen, Frayser, Flood, Gravelly, Hall of B., Hendricks, Hitchcock, Holmes, How, Howell, Irwin, Isbell, Jackson, Jamison, Johnson, Kidd, Leeper, Linton, Long, Marvin, McClurg, McCormack, McFerran, McDowell, Meyer, Moss, Phillips, Pomeroy, Rankin, Ray, Ross, Rowland, Sayre, Scott, Shackelford of St. L., Shanklin, Smith of L., Smith of St. L., Stewart, Waller, Welch, Woolfolk, Vanbuskirk, and Zimmerman—57.

Mr. WOOLFOLK offered the following amendment:

Amend the amendment by adding after the words "So help me God": "*Provided*, however, that any qualified elector under the Constitution and laws of this State, who claims to have taken up arms or levied war against the Government of the United States, or the Provisional Government of this State, through fraudulent representations, supposed obligations of duty, or duress, and who claims to have wholly abandoned all allegiance and fidelity to the so-called Government of the Confederate States of America, shall be allowed to vote by filing the following oath in the county clerk's office of the county where he resides, and obtaining a certificate thereof from the clerk, to wit:

"I, A. B., having taken up arms against the Provisional Government of this State and the Government of the United States in violation of my duty as a loyal citizen, and being now convinced of my error in so doing, do hereby solemnly swear (or affirm) that I deliberately and wholly abjure all duty, allegiance and fidelity to the so-called Government of the Confederate States of America; that I will support, protect and defend the Constitution and Government of the United States, and the Constitution and Provisional Government of the State of Missouri, against all enemies and opposers, whether domestic or foreign; that I will bear true faith, loyalty and allegiance to the United States, and will not directly or indirectly give aid, comfort or countenance to the enemies or opposers thereof, or the Provisional Government of the State of Missouri, any ordinance, law or resolution of any State Convention or Legislature, or any order or organization, local or otherwise, to the contrary notwithstanding; and that I do this with a full and honest determination, pledge and purpose, without any mental reservation or evasion whatever: So help me God."

Which was rejected by the following vote, the ayes and noes being called for by Mr. Woolfolk:

AYES—Messrs. Birch, Brown, Collier, Drake, Jamison, Kidd, McDowell, McFerran, Rowland, Sayre, and Woolfolk—11.

NOES—Messrs. Allen, Bass, Bast, Bogy, Breckinridge, Bridge, Bush, Calhoun, Cayce, Doniphan, Donnell, Dunn, Eitzen, Frayser, Flood, Hall of B., Hendricks, Hitchcock, Holmes, How, Howell, Irwin, Isbell, Jackson, Johnson, Leeper, Linton, Long, Marmaduke, Marvin, Matson, McClurg, McCormack, Meyer, Moss, Orr, Phillips, Pipkin, Pomeroy, Rankin, Ray, Scott, Shackelford of St. L., Shanklin, Sheeley, Smith of L., Smith of St. L., Stewart, Waller, Welch, Woodson, Vanbuskirk, and Zimmerman—53.

Mr. BIRCH moved a call of the House, which was ordered, when the following members were noted as being absent: Messrs. Collier, Comingo, and Gravelly.

On motion of Mr. HALL of B., further proceeding under the call was dispensed with.

Mr. ALLEN moved the House adjourn until to-morrow morning at 9 o'clock, which motion was decided in the negative.

The question recurring upon agreeing to the amendment of Mr. Breckinridge, it was agreed to by the following vote, the ayes and noes being called for by Mr. Breckinridge:

AYES—Messrs. Allen, Bogy, Breckinridge, Bridge, Bush, Douglass, Eitzen, Hall of B., Hendricks, Hitchcock, Holmes, How, Irwin, Isbell, Jackson, Johnson, Kidd, Leeper, Linton, Long, Marvin, McCormack, McClurg, Meyer, Phillips, Pomeroy, Rankin, Scott, Shackelford, Shanklin, Smith of L., Smith of St. L., Stewart, Welch, and Vanbuskirk—35.

NOES—Messrs. Bass, Bast, Birch, Brown, Calhoun, Cayce, Doniphan, Donnell, Drake, Dunn, Frayser, Flood, Howell, Hudgens, Jamison, Marmaduke, Matson, McDowell, McFerran, Moss, Orr, Pipkin, Ray, Ross, Rowland, Sayre, Sheeley, Waller, Woodson, Woolfolk, and Zimmerman—31.

The first section of said ordinance was then agreed to by the following vote, the ayes and noes being demanded by Mr. Breckinridge:

AYES—Messrs. Allen, Bogy, Breckinridge, Bridge, Bush, Douglass, Eitzen, Hall of B., Hendricks, Hitchcock, Holmes, How, Irwin, Isbell, Jackson, Jamison, Johnson, Kidd, Leeper, Linton, Long, Marvin, McClurg, McCormack, McFerran, Meyer, Orr, Phillips, Pomeroy, Rankin, Scott, Shackelford of St. L., Shanklin, Smith of L., Smith of St. L., Stewart, Welch, Woolfolk, and Vanbuskirk—39.

NOES—Messrs. Bass, Bast, Birch, Brown, Calhoun, Cayce, Doniphan, Donnell, Drake, Dunn, Frayser, Flood, Howell, Hudgens, Marmaduke, Matson, McDowell, Moss, Pipkin, Ray, Ross, Rowland, Sayre, Sheeley, Waller, Woodson, and Zimmerman—27.

Mr. PHILLIPS moves to reconsider the vote just taken and to lay the motion to reconsider on the table, which motion to lay on the table was agreed to.

On motion of Mr. ALLEN, the Convention adjourned until to-morrow morning at 9 o'clock.

EIGHTH DAY.

TUESDAY MORNING, June 10, 1862.

The Convention met pursuant to adjournment, and was opened with prayer by Mr. ALLEN.

The Journal of the proceedings of yesterday was read and approved.

Mr. DOUGLASS offered the following resolution, which was adopted:

Resolved, That one hour of the morning sessions of the Convention be fixed for the reception of reports from committees.

Mr. WELCH, Vice President and Acting President of the Convention, asked to be, and was on motion excused from serving on all committees upon which he has been appointed in this Convention.

Mr. DOUGLASS, from the committee to whom was referred the memorial of Philander Draper and others, made the following report:

"The committee to whom was referred the memorial of Philander Draper and others, ask leave to report 'An ordinance for the appointment of a Commissioner to audit certain claims against the State,' and recommend its passage.

BROADHEAD, *Chairman.*"

On motion of Mr. DOUGLASS, the ordinance was laid on the table, subject to be called up at any time.

Mr. MCFERRAN, on leave of the Convention, called up an ordinance heretofore reported from the Committee on the Militia, and on his motion 200 copies were ordered to be printed, viz: "An ordinance for payment of Division Inspectors and for other purposes."

Mr. POMEROY submitted the following:

"The select committee to whom was referred an ordinance entitled "An ordinance for the distribution of Laws therein named," beg leave to report the same to the Convention, and recommend its adoption.

POMEROY, *Chairman.*"

On motion of Mr. MCFERRAN, the ordinance was laid on the table.

Mr. WOODSON presented a memorial from Professor G. G. Swallow, which on his motion was referred to the Committee on Finance.

Mr. ORR, from a select committee to whom was referred "An ordinance in relation to the duties of Register of Lands and County Assessors," reported the same back with amendments, and recommended its passage.

On motion of Mr. McFerran, the ordinance was laid on the table and 200 copies ordered to be printed.

On motion of Mr. McClurg, "An ordinance for the appointment of Artillery Officers," reported from the Committee on the Militia as follows, was then taken up:

"AN ORDINANCE FOR THE APPOINTMENT OF ARTILLERY OFFICERS—FOR THE GREATER EFFICIENCY OF THE IMPORTANT ARM OF THE MILITARY SERVICE, THE ARTILLERY.

"*Be it ordained by the People of the State of Missouri in Convention assembled as follows:*

"That the Governor is hereby authorized to appoint and commission all officers of artillery companies in the Missouri State Militia."

Mr. McFerran offered the following amendment, which was agreed to:

Amend by way of new section as follows:

"Sec. 2. This ordinance may be repealed at any time by the General Assembly of this State."

The ordinance as amended was adopted.

Mr. Zimmerman, offered the following resolution, which, on motion of Mr. Allen, was laid on the table:

Resolved, That this Convention adjourn on next Thursday and stand adjourned until the next Legislature is elected and duly qualified: *Provided*, however, if the chief executive shall deem it necessary he may at any time call the Convention together, and if the Convention should not be called together before the Legislature is elected and qualified, it shall then stand adjourned *sine die*.

Mr. Irwin, from a select committee, made the following report:

"The committee to whom was referred the petition of sundry citizens of the Fourth Conventional District, composed of the counties of Andrew, Nodaway, Holt, and Atchison, praying for the expulsion of Hon. Prince L. Hudgens from the Convention, would beg leave to report that they have had under consideration the said petition and the matters therein contained, and, after a careful investigation of the charge alleged and set forth therein, are of opinion that the evidence produced before your committee is insufficient to justify the Convention in expelling the said Hudgens from his seat upon this floor, and therefore recommend that the prayer of the petitioners be not granted."

The Convention having resumed the consideration of the third section of the ordinance entitled "An ordinance defining the qualifications of voters and civil officers in this State," Mr. Scott offered to amend as follows:

Amend the fifteenth line, after the word "officers," as follows: "and all Circuit and County Clerks."

Amendment disagreed to.

Mr. Howell offered the following amendment: Amend the amendment by inserting after the words "State of Missouri," the words "nor since the 17th day of December, 1861;" which was disagreed to by the following vote, the ayes and noes called for by Mr. Pipkin:

Ayes—Messrs. Bast, Birch, Brown, Calhoun, Cayce, Collier, Comingo, Donnell, Drake, Dunn, Frayser, Flood, Howell, Marmaduke, Matson, Pipkin, Ray, Sayre, Sheeley, Waller, Woodson, and Zimmerman —22.

Noes—Messrs. Allen, Bogy, Breckinridge, Bridge, Bush, Doniphan, Douglass, Eitzen, Gravelly, Hall of B., Hendricks, Hitchcock, Holmes, How, Irwin, Isbell, Jamison, Johnson, Leeper, Linton, Long, Marvin, McClurg, McCormack, McDowell, McFerran, Meyer, Moss, Orr, Phillips, Pomeroy, Rankin, Ross, Rowland, Scott, Shackelford of St. L., Shanklin, Smith of L., Smith of St. L., Stewart, Welch, Woolfolk, and Vanbuskirk—44.

The third section of said ordinance was then, as amended, adopted.

The fourth section was then taken up and agreed to.

The fifth section was taken up, when Mr. McFerran offered to amend the same as follows:

Amend, after the word "Gospel" in the third line, by inserting the words "President, Directors, Professors, and Tutors of the State University;" which was agreed to.

Mr. McFerran offered the following amendment to the ordinance:

Amend by striking out the fifth section, and inserting the following in lieu thereof:

Sec. 5. The courts of this State shall require all jurymen and attorneys to take and subscribe the following oath: "I, ——, do solemnly swear, (or affirm, as the case may be,) that I will support, protect and defend the Constitution of the United States, and the Constitution of the State of Missouri, against all enemies or opposers, whether domestic or foreign; that I will bear true faith, loyalty, and allegiance to the United States, and will not, directly or indirectly, adhere to the enemies or opposers thereof, or of the Provisional Government of the State of Missouri, by giving them aid and comfort, any ordinance, law, or resolution of any State Convention or Legislature, or of any order or organization, secret or otherwise, to the contrary notwithstanding; and that I do this with a full and honest determination, pledge and purpose, without any mental reservation or evasion whatever: So help me God." The same oath shall also be taken and subscribed by the President, Professors and Curators of the University of the State of Missouri, by all Bank officers, Common School teachers who are paid wholly or in part by the funds provided by law, and Common School trustees, all officers of all incorporated companies of this State, and by all licensed or ordained preachers of the Gospel before performing the ceremony of marriage in this State, and filed in any County Clerk's office in this State; and every licensed or ordained preacher of the Gospel who shall perform the ceremony of marriage in this State before taking said oath, and every other person aforesaid assuming to discharge the duties pertaining to his said avocation under the laws of this State, without complying with the provisions of this section, shall be liable to prosecution in any court of competent jurisdiction in this State, by indictment, and upon conviction shall be punished for each offence by a fine not less than ten nor more than two hundred dollars. This section shall take effect ninety days from the passage of this ordinance."

Mr. Orr offered the following: Amend the fifth section by striking out all that relates to ministers of the Gospel, school teachers, and school trustees.

Pending which, on motion of Mr. Sheeley, the Convention adjourned until 2½ o'clock P. M.

EVENING SESSION.

The Convention met pursuant to adjournment, and resumed the consideration of the amendment offered by Mr. Orr:

The amendment was disagreed to by the following vote, the ayes and noes being called for by Mr. Orr.

Ayes—Messrs. Allen, Bogy, Brown, Calhoun, Cayce, Collier, Comingo, Doniphan, Donnell, Drake, Dunn, Frayser, Flood, Gravelly, Howell, Hudgens, Jamison, Kidd, Matson, Moss, Orr, Pipkin, Pomeroy, Rankin, Ray, Rowland, Sayre, Sheeley, Waller, Welch, Woodson, and Zimmerman —32.

Noes — Messrs. Birch, Breckinridge, Bridge, Bush, Douglass, Eitzen, Hall of B., Hendricks, Hitchcock, Holmes, How, Irwin, Isbell, Jackson, Johnson, Leeper, Linton, Marvin, McClurg, McCormack, McDowell, McFerran, Meyer, Phillips, Ross, Scott, Shackelford of St. L., Shanklin, Smith of L., Smith of St. L., Stewart, Woolfolk, and Vanbuskirk—33.

The amendment offered by Mr. McFerran to the 5th section was agreed to by the following vote, the ayes and noes called for by Mr. McFerran:

Ayes — Messrs. Bogy, Breckinridge, Bridge, Bush, Douglass, Eitzen, Hall of B., Hendricks, Hitchcock, Holmes, How, Irwin, Isbell, Jackson, Jamison, Johnson, Kidd, Leeper, Linton, Long, Marvin, McClurg, McDowell, McCormack, McFerran, Meyer, Phillips, Rankin, Rowland, Scott, Shackelford of St. Louis, Shanklin, Smith of Linn, Stewart, Woolfolk, and Vanbuskirk —36.

Noes—Messrs. Allen, Bass, Bast, Birch, Brown, Calhoun, Cayce, Collier, Comingo, Doniphan, Donnell, Drake, Dunn, Frayser, Flood, Gravelly, Howell, Hudgens, Marmaduke, Matson, Moss, Orr, Pipkin, Pomeroy, Ray, Ross, Sayre, Sheeley, Smith of St. L., Waller, Welch, Woodson, and Zimmerman—33.

The sixth and seventh sections were then agreed to.

Mr. Comingo offered the following amendment to the ordinance:

Strike out all after the enacting clause, and insert as follows:

"SECTION 1. Every person who now is, or who shall hereafter become, a candidate for any office in the gift of the people of the State of Missouri, before his name shall be placed upon the poll books at any election held by virtue or in pursuance of any of the laws or ordinances of the State, shall file in the office of the clerk of the county court of the county in which he resides, his affidavit to the following effect:

"I, ———, of the county of ———, candidate for the office of ———, do solemnly swear (or affirm, as the case may be) that I will support the Constitution of the United States, and the Constitution of the State of Missouri; that I will neither directly nor indirectly give aid or comfort to the enemies of either of said governments, but that I will well and faithfully labor to preserve, maintain and uphold them both, and to protect them against all their enemies, whether domestic or foreign; that I will not at any time, nor in any manner, countenance any plan, effort or purpose to sever or disturb the present Federal relations of the State of Missouri with the United States; nor to interfere with or disturb the authority of the Government of the United States in any place or State where it now is, or has heretofore been, or may hereafter be exercised; nor will I leave any of such plans, efforts or purposes unexposed to the proper authorities should they come to my knowledge, or should I receive information thereof; and that I take this oath freely and voluntarily, without any mental reservation or evasion whatsoever, with a full determination, pledge and purpose faithfully to observe and keep it, any ordinance, resolution or law of any State Convention, Legislature, order or organization, secret or otherwise, to the contrary notwithstanding. So help me God.

"SEC. 2. Said affidavit may be made before any officer authorized to administer oaths in the county in which the affiant resides; and when made in any other county, or beyond the limits of the State of Missouri, shall be made before a notary public, commissioner of deeds, or the clerk of a court of record, and certified under his seal of office. And all candidates for State offices shall cause a certified copy of said affidavit to be filed in the office of the Secretary of State for the State of Missouri, within twenty days after the day of the election, to fill the office or offices to which they aspire. And any failure or refusal to take and file the affidavit as herein before required, shall render null and void all votes cast for the candidate or candidates so failing or refusing.

"SEC. 3. No person who has, at any time, been in the military service of the so-called Confederate States of America, or who has, at any time, taken an oath of allegiance to the government of said States, shall be qualified to hold any office of honor, profit or trust under, nor to vote at any election held in pursuance of, the Constitution and laws of this State: Provided, however, that the General Assembly of this State may at any time repeal or modify this ordinance, or any part thereof, with respect to such persons, or any of them, either by general or special act, upon such terms as in their judgment the best interests of the State may require.

"SEC. 4. No person who, after the passage of this ordinance, shall take up arms against the United States, or this State, or who shall adhere to, or voluntarily give aid, assistance or encouragement to those who may thus take up arms, or to those engaged in carrying on the present rebellion, shall be qualified to hold any office of honor, profit or trust under the constitution and laws of this State, nor to vote at any election held under or in pursuance of said constitution and laws: Provided, however, that these disabilities, or either of them, may be removed in the manner prescribed in the third section of this ordinance.

"SEC. 5. Every person who shall hereafter be elected or appointed to any civil office within this State, under the constitution and laws thereof, whether State, county, or municipal, and the judges and clerks of all elections held under the laws of this State, shall, before entering upon the duties of such office, take and subscribe an affidavit, in substance as set forth in the first section of this ordinance.

"SEC. 6. Any person who shall falsely take, or having taken, shall thereupon wilfully violate any oath prescribed by this ordinance, shall, upon conviction thereof by any court of competent jurisdiction, be adjudged guilty of the crime of perjury, and shall be punished therefor in accordance with existing laws. And it shall be the duty of the judges of all courts having criminal jurisdiction under the laws of this State, specially to charge the grand juries in the counties in which such courts shall be held respectively, and of all grand juries in the performance of their duties under the laws of this State, specially to inquire concerning the commission of any act of perjury mentioned or made punishable by this or any other ordinance adopted by this Convention."

The amendment was disagreed to by the following vote, the ayes and noes called for by Mr. Rowland:

AYES—Messrs. Bast, Birch, Calhoun, Cayce, Collier, Comingo, Donnell, Drake, Dunn, Frayser, Marmaduke, Pipkin, Rowland, and Welch—14.

NOES—Messrs. Allen, Bass, Bogy, Breckinridge, Bush, Bridge, Douglass, Eitzen, Flood, Gravelly, Hall of B., Hendricks, Hitchcock, Holmes, How, Irwin, Isbell, Jackson, Jamison, Johnson, Kidd, Leeper, Linton, Long, Marvin, McClurg, McCormack, McDowell, McFerran, Meyer, Orr, Phillips, Pomeroy, Rankin, Ross, Scott, Shackelford of St. L., Shanklin, Smith of L., Smith of St. L., Stewart, Woolfolk, Vanbuskirk, and Zimmerman—44.

Mr. HENDRICKS offered the following amendment, which was disagreed to:

"SEC. 8. In case the General Assembly shall not repeal this ordinance sooner, this ordinance shall cease to be in force and effect so soon as the present rebellion shall be ended."

The question now being on the passage of the ordinance as amended, it was adopted by the following vote, the ayes and noes being demanded by Mr. Brown:

AYES—Messrs. Allen, Bogy, Breckinridge, Bridge, Bush, Douglass, Eitzen, Gravelly, Hall of B., Henderson, Hitchcock, Holmes, How, Irwin, Isbell, Jackson, Jamison, Johnson, Kidd, Leeper, Linton, Long, Marvin, McClurg, McCormack, McDowell, McFerran, Meyer, Orr, Phillips, Pomeroy, Rankin, Rowland, Scott, Shackelford of St. L., Shanklin, Smith of L., Smith of St. L., Stewart, Woolfolk, Vanbuskirk, and Zimmerman—42.

NOES—Messrs. Bass, Bast, Birch, Brown, Calhoun, Cayce, Collier, Comingo, Doniphan, Donnell, Drake, Dunn, Frayser, Flood, Howell, Hudgens, Marmadude, Matson, Moss, Pipkin, Ray, Ross, Sayre, Sheeley, Waller, Welch, and Woodson—27.

Mr. MCFERRAN moved to reconsider the vote just taken, and then to lay the motion to reconsider upon the table, which was adopted.

Mr. MCFERRAN, by leave of the Convention, called up the ordinance reported by the Committee on Elections, entitled,

"AN ORDINANCE CONTINUING THE PRESENT PROVISIONAL GOVERNMENT IN OFFICE.

"*Be it ordained by the People of Missouri in Convention assembled:*

"SECTION 1. That the Governor, Lieutenant Governor, and Secretary of State, heretofore appointed by this Convention, shall continue in office until the first Monday in August, A. D. 1864, and until their successors are duly elected and qualified, and shall discharge the duties and exercise the privileges which pertain to their respective offices."

Mr. Moss offers the following amendment:

Amend by adding the following additional sections, viz:

"SEC. 2. That the election required by existing law to be held on the first Monday in August, in the year eighteen hundred and sixty-two, for Senators and Representatives in the General Assembly of the State, and for justices of the county courts, and sheriffs, coroners, and county and township officers, be and the same is hereby dispensed with.

"SEC. 3. In lieu of said election of sheriffs, county court justices, and coroners, above dispensed with, the Governor shall appoint a sheriff and coroner for each county in the State, and county court justices in counties where vacancies may occur, who shall hold their respective offices for the same term and in like manner as if they had been elected on said first Monday in August, eighteen hundred and sixty-two.

"SEC. 4. In the event of any other State, county or township office being or becoming vacant prior to the first Monday in August, eighteen hundred and sixty-three, by limitation, death, resignation or otherwise, such office or offices so becoming vacant shall be filled by the proper authorities under existing laws; (authorities to fill vacancies in such offices by appointment;) and officers appointed to fill vacancies as aforesaid shall hold their said offices for the time as if they had been appointed or elected under existing laws."

Mr. IRWIN offers the following amendment, which was accepted by Mr. Moss:

Amend by adding an additional section, as follows:

"SEC. 5. If at any time prior to the first Monday in August, 1864, the Governor shall be of the opinion that the welfare of the Commonwealth requires it, he may order an election to be held for Senators and Representatives in the General Assembly of the State, anything in this ordinance to the contrary notwithstanding."

Mr. Moss, by leave, adds an additional section as follows:

"SEC. 6. When any vacancy shall occur in any office by death, resignation, expiration of the term of office, or from any other cause, the proper authorities designated by law to fill vacancies shall fill such vacant offices by appointment; and when no appointing power is prescribed by law, such offices shall be filled by appointment by the Governor. Appointments to fill vacancies caused by the expiration of the term of office shall be for the legal term thereof, all other appointments shall be for the residue of the term only."

Pending the consideration of which, on motion of Mr. POMEROY, the Convention adjourned until to-morrow morning at 9 o'clock.

NINTH DAY.

WEDNESDAY MORNING, June 11, 1862.

The Convention met pursuant to adjournment, and was opened with prayer by the Rev. Mr. ALLEN.

The Journal was being read, when, on motion of Mr. IRWIN, its further reading was dispensed with.

Mr. HENDRICKS gave notice that on to-morrow he would introduce an ordinance supplementary to the ordinance entitled "An ordinance defining the qualifications of voters and civil officers in this State," providing to limit the operations of the first section thereof to the last day of July, 1864.

The regular order being the consideration of the amendment offered by Mr. Moss to "An ordinance continuing the present Provisional Government in office," as reported by the Committee on Elections," Mr. WOOLFOLK offered the following amendment:

Amend the amendment by striking out "for Senators and Representatives in the General Assembly of the State," and in the second and third line of section 2 of the amendment; also strike out section 5 of amendment. And afterwards, by leave, withdrew his amendment.

Pending the consideration of the amendment of Mr. Moss, on motion of Mr. MARVIN, the Convention adjourned until 2½ o'clock P. M.

EVENING SESSION.

The Convention met pursuant to adjournment.

The question under consideration being the amendment offered by Mr. Moss, it was disagreed to by the following vote, the ayes and noes being called for by Mr. Moss:

AYES—Messrs. Allen, Bass, Bast, Birch, Brown, Calhoun, Cayce, Collier, Doniphan, Donnell, Drake, Dunn, Frayser, Flood,

Howell, Hudgens, Irwin, Marmaduke, Matson, Moss, Pipkin, Rankin, Ray, Sayre, Shackelford of H., Waller, Welch, Woodson, and Zimmerman—29.

NOES—Messrs. Bogy, Breckinridge, Bush, Brown, Comingo, Douglass, Eitzen, Gravelly, Hall of B., Hendricks, Hitchcock, Holmes, How, Isbell, Jackson, Jamison, Johnson, Leeper, Linton, Long, Marvin, McClurg, McCormack, McDowell, McFerran, Meyer, Orr, Phillips, Pomeroy, Ritchey, Ross, Rowland, Scott, Shackelford of St. L., Shanklin, Smith of L., Smith of St. L., Stewart, Woolfolk, and Vanbuskirk—40.

PAIRED OFF—Messrs. Sheeley and Broadhead.

The ordinance was then disagreed to by the following vote, the ayes and noes being called for by Mr. McFerran:

AYES—Messrs. Allen, Bass, Brown, Calhoun, Cayce, Collier, Doniphan, Donnell, Drake, Flood, Holmes, Howell, Irwin, Jackson, Jamison, Johnson, Kidd, Leeper, McFerran, Moss, Orr, Phillips, Ray, Sayre, Shanklin, Smith of L., Smith of St. L., Welch, Woodson, Woolfolk, and Vanbuskirk—31.

NOES—Messrs. Bast, Bogy, Breckinridge, Bridge, Bush, Comingo, Douglass, Dunn, Eitzen, Gravelly, Hendricks, Hitchcock, How, Hudgens, Isbell, Linton, Long, Marmaduke, Marvin, Matson, McCormack, McClurg, McDowell, Meyer, Pipkin, Rankin, Ritchey, Ross, Rowland, Scott, Shackelford of H., Shackelford of St. L., Stewart, Waller, and Zimmerman—35.

Mr. MCFERRAN called up an ordinance heretofore reported by the Committee on Elections, viz., "An ordinance to enable citizens of this State in the military service of the United States, or of the State of Missouri, to vote."

Mr. SMITH of Linn offered to amend as follows:

Amend by adding to the first section the following: "Provided that such volunteers and militia are within the State of Missouri on the day of election;" which was disagreed to.

Mr. ORR called up an ordinance heretofore reported by him, entitled "An ordinance in relation to the duties of the Register of Lands and County Assessors."

On motion of Mr. SMITH of L., the further consideration of the ordinance was postponed until to-morrow.

Mr. ALLEN offered the following resolution.

Resolved, That this Convention adjourn on Saturday next.

Mr. HOWELL moved to amend as follows: Strike out "Saturday," and insert "when it gets ready."

Mr. SMITH of St. Louis moved to lay the amendment and resolution on the table, which was adopted.

Mr. IRWIN offered an ordinance entitled "An ordinance amending the third article of the State Constitution," and on his motion it was referred to a select committee, consisting of Messrs. Irwin, Douglass, and Dunn.

Mr. LEEPER called up an ordinance reported from the Committee on the Militia, entitled "An ordinance for the payment of Division Inspectors and for other purposes."

Mr. LEEPER offered the following amendment. Add as an additional section:

"SEC. 4. That the Governor shall appoint all commissioned officers in all artillery companies in the Missouri State Militia; and hereafter when any vacancy shall occur from any cause in the companies of infantry or cavalry in the Missouri State Militia, said vacancy shall be filled by appointment of the Executive of this State."

Which was decided out of order by the President.

On motion of Mr. COMINGO, the Convention adjourned until to-morrow morning at 9 o'clock.

TENTH DAY.

THURSDAY MORNING, June 12, 1862.

The Convention met pursuant to adjournment, and was opened with prayer by the Chaplain, Mr. ALLEN.

On motion of Mr. BOGY, the reading of the Journal was dispensed with.

Mr. ROWLAND moved the reconsideration of the vote taken on yesterday by which the ordinance entitled "An ordinance continuing the Provisional Government of this State in office" was rejected, which motion was decided in the affirmative by the following vote, the ayes and noes being called by Mr. Eitzen:

AYES—Messrs. Allen, Bass, Bogy, Breckinridge, Calhoun, Cayce, Collier, Comingo, Donnell, Douglass, Drake, Frayser, Flood, Foster, Hendricks, Holmes, Howell, Irwin, Jackson, Jamison, Johnson, Kidd, Leeper, Linton, Long, Marvin, McClurg, McCormack, McDowell, McFerran, Orr, Phillips, Pomeroy, Scott, Shackelford of H., Shackelford of St. L., Shanklin, Smith of L., Smith of St. L., Welch, Woodson, Woolfolk, and Vanbuskirk—43.

NOES—Messrs. Bast, Bridge, Brown, Bush, Dunn, Eitzen, How, Hudgens, Isbell, Marmaduke, Meyer, Pipkin, Stewart, Waller, and Zimmerman—15.

Paired off—Messrs. Sheeley and Broadhead.

Excused from voting—Mr. Birch.

The question being on the adoption of the ordinance, Mr. COMINGO moved that the further consideration of the question be postponed until to-morrow morning, which was decided in the negative.

Mr. HOWELL offered the following resolution:

Resolved, That the ordinance be re-committed to the Committee on Elections and Elective Franchise, with instructions to report an ordinance for the postponement of all elections to some future time when the State will be in a better condition to have an election.

The resolution was disagreed to by the following vote, the ayes and noes called for by Mr. Howell:

AYES—Messrs. Bass, Bast, Brown, Calhoun, Cayce, Doniphan, Donnell, Drake, Frayser, Flood, Howell, Kidd, Marmaduke, Matson, Pipkin, Ray, Ritchey, Sayre, Shackelford of H., Waller, Welch, Woodson, and Zimmerman—23.

NOES—Messrs. Allen, Birch, Bogy, Breckinridge, Bridge, Bush, Comingo, Dunn, Eitzen, Gravelly, Hendricks, Hitchcock, Holmes, How, Irwin, Isbell, Jackson, Jamison, Johnson, Leeper, Linton, Long, Marvin, McClurg, McCormack, McDowell, McFerran, Meyer, Orr, Phillips, Pomeroy, Rankin, Rowland, Scott, Shackelford of St. L., Shanklin, Smith of L., Smith of St. L., Stewart, Woolfolk, and Vanbuskirk—41.

The ordinance was then agreed to by the following vote, the ayes and noes being called for by Mr. Howell:

AYES—Messrs. Allen, Bass, Bogy, Brown, Calhoun, Cayce, Collier, Comingo, Doniphan, Donnell, Douglass, Drake, Frayser, Flood, Hendricks, Howell, Holmes, Irwin, Jackson, Jamison, Johnson, Kidd, Leeper, Long, Marvin, Matson, McClurg, McCormack, McDowell, McFerran, Orr, Phillips, Pomeroy, Ray, Ross, Rowland, Sayre, Scott, Shanklin, Smith of L., Smith of St. L., Welch, Woodson, Woolfolk, and Vanbuskirk—45.

NOES—Messrs. Bast, Breckinridge, Bush, Bridge, Dunn, Eitzen, Gravelly, Hitchcock, How, Hudgens, Isbell, Linton, Marmaduke, Meyer, Pipkin, Ritchey, Shackelford of H., Shackelford of St. L., Stewart, Waller, and Zimmerman—21.

Paired off—Messrs. Sheeley and Broadhead.

Excused from voting—Messrs. Hall of B., and Birch.

Mr. MCFERRAN moved to reconsider the vote just taken and to lay that vote on the table, which motion was adopted.

Mr. DUNN offered the following resolution:

Resolved, That this Convention has undiminished confidence in the ability, integrity and patriotism of Governor Gamble and the other officers of the Provisional Government elected by this Convention at a former session, and now continued in office by an ordinance adopted at the present session.

The resolution was unanimously adopted.

Mr. HITCHCOCK, by leave of the Convention, recorded his vote in the negative on

the proposition to reconsider the vote disagreeing to the "Ordinance continuing the present Provisional Government in office."

On motion of Mr. McFerran, the "ordinance to enable the citizens of this State in the military service of the United States, or of the State of Missouri, to vote," was taken up.

On motion of Mr. McFerran, the vote disagreeing to the amendment of Mr. Smith of L. to the said ordinance was reconsidered; the amendment is as follows:

Add to the first section the following: "Provided that such volunteers and militia are within the State of Missouri on the day of election."

Pending the consideration of which, on motion of Mr. McCormack, the Convention adjourned until 2½ o'clock P. M.

EVENING SESSION.

The Convention met pursuant to adjournment.

Mr. Cayce presented a memorial from the Justices of Washington County Court, asking the Convention to rescind an act, passed at the last Legislature, "separating the office of sheriff from that of collector of revenue of said county;" which, on his motion, is referred to a select committee consisting of Messrs. Cayce, Bogy, and Rankin.

The regular order of business being the amendment of Mr. Smith of L., it was taken up, and disagreed to by the following vote, the ayes and noes called for by Mr. Smith of L.:

Ayes—Messrs. Allen, Bast, Birch, Brown, Bush, Calhoun, Cayce, Collier, Comingo, Donnell, Drake, Frayser, Hitchcock, Howell, Kidd, Matson, Orr, Pipkin, Pomeroy, Ritchey, Shackelford of H., Shackelford of St. L., Sheeley, Smith of L., Waller, Welch, Woodson, and Zimmerman—28.

Noes — Messrs. Bogy, Breckinridge, Bridge, Douglass, Dunn, Eitzen, Gravelly, Hall of B., Hendricks, Holmes, How, Irwin, Isbell, Jackson, Jamison, Johnson, Leeper, Linton, Long, Marvin, McClurg, McCormack, McDowell, McFerran, Meyer, Phillips, Rankin, Rowland, Scott, Shanklin, Smith of St. L., Stewart, Woolfolk, and Vanbuskirk—34.

The first section was agreed to by the following vote, the ayes and noes being called for by Mr. McFerran:

Ayes—Messrs. Allen, Birch, Bogy, Breckinridge, Bridge, Bush, Douglass, Dunn, Eitzen, Frayser, Gravelly, Hall of B., Hendricks, Hitchcock, Holmes, How, Irwin, Isbell, Jackson, Jamison, Johnson, Leeper, Linton, Long, Marvin, McClurg, McCormack, McDowell, McFerran, Meyer, Phillips, Pomeroy, Rankin, Rowland, Scott, Shackelford of St. L., Shanklin, Smith of L., Stewart, Welch, Woolfolk, and Vanbuskirk—42.

Noes—Messrs. Bass, Bast, Brown, Calhoun, Cayce, Donnell, Drake, Flood, Howell, Hudgens, Matson, Orr, Pipkin, Ritchey, Sayre, Shackelford of H., Smith of L., Waller, Woodson, and Zimmerman—20.

The 2d, 3d, 4th, 5th, 6th, 7th, 8th, 9th, 10th and 11th sections were taken up and agreed to.

Mr. Birch offered the following amendment, which was agreed to:

Strike out of lines 2d and 3d in section 12 the words "knowing he is not entitled to vote;" and, as amended, section 12 was agreed to.

Mr. Dunn moved to amend the 13th section by striking out the word "not" in said section, which was agreed to by the following vote, the ayes and noes being called for by Mr. Woodson:

Ayes—Messrs. Allen, Bass, Birch, Bogy, Breckinridge, Brown, Bush, Calhoun, Cayce, Collier, Comingo, Donnell, Douglass, Drake, Dunn, Eitzen, Frayser, Flood, Gravelly, Hall of B., Hendricks, Hitchcock, Holmes, Howell, Irwin, Isbell, Jackson, Jamison, Johnson, Kidd, Long, Marvin, Matson, McClurg, McCormack, McDowell, Meyer, Orr, Phillips, Pipkin, Pomeroy, Rankin, Ritchey, Rowland, Sayre, Shackelford of H., Shackelford of St. L., Shanklin, Sheeley, Smith of L., Smith of St. L., Stewart, Waller, Welch, Woodson, Woolfolk, and Zimmerman—57.

Noes—Messrs. Bridge, How, Leeper, Linton, McFerran, Scott, and Vanbuskirk—7.

Mr. Pomeroy offered the following amendment, which was disagreed to:

Amend by adding to 13th section "and that they are citizens of Missouri, and have been for twelve months preceding the day of election."

Mr. McFerran offered the following amendment, which was agreed to:

Amend by adding a new section, as follows:

"SEC. 15. Any officer or other person in the service of or employment of the United States, or the State of Missouri, being a qualified voter under the constitution and laws of this State, may vote at any election held under the provisions of this ordinance, subject to the restrictions and limitations provided by this ordinance."

The 16th section was then read and agreed to, and the ordinance as amended was then adopted.

Mr. MCFERRAN, from the Committee on Elections and Elective Franchise, reported an ordinance entitled "An ordinance in relation to voting in certain counties," for the consideration of the Convention.

Mr. WOOLFOLK offered the following amendment:

Amend by way of new section, by adding as follows:

"SEC. 7. No election shall be held for sheriff, coroner, county court justices, and other township and county officers; the vacancies so caused, with the exception of members of the General Assembly, shall be filled by the proper authorities under existing laws; but in all cases of failure by the proper authorities to appoint persons to fill such vacancies within twenty days after the vacancy occurs, then the Governor shall appoint officers to fill such vacancies as have not been filled by the proper authorities, and all officers appointed to fill vacancies as aforesaid shall hold their said offices for the same time as if they had been elected under existing laws."

On motion of Mr. BRECKINRIDGE, the ordinance was laid on the table, and 200 copies ordered to be printed, and made the special order for to-morrow morning at 10 o'clock.

On motion of Mr. DOUGLASS, an ordinance entitled "An ordinance in relation to assessors and collectors," reported from the Committee on Elections, was taken up.

Mr. DONIPHAN moved the following amendment, which was agreed to:

Amend by adding to the end of section 1st the following: "And if any County Court in this State has appointed an assessor for the year 1862, who has already made the assessment for his county, such appointment and assessment are hereby legalized."

Mr. COMINGO offered the following amendment:

Amend by adding after section — the following:

Provided 1st. That the tax-payers of the counties of Jackson, Cass, and Bates, are hereby released and forever discharged from all indebtedness to the State of Missouri on account of taxes due for the year 1861; provided, however, that nothing herein contained shall be so construed as to release or discharge non-residents of said counties from the payment of taxes therein for said year.

Second. That the County Courts in said counties are hereby authorized to withhold from the collectors of taxes the tax books for the year 1861, and upon the assessments made for the year 1862 they are authorized to levy and collect for county purposes the taxes for both of said years, or so much of said taxes as they may think advisable to collect, and they are also authorized and required to cause to be collected from non-residents of said counties the full amount of taxes due for the same periods.

Third. The collectors for said counties are hereby allowed and authorized to return the delinquent lists of said counties for the year 1862 to their respective county courts at any time prior to the first day of December, 1863; and should said collectors, or either of them, fail, neglect, or refuse to return their delinquent tax lists on or before the day mentioned, they, or the one so doing, shall therefor be subject to all the penalties of the law relative to delinquent collectors: provided, that this section of this ordinance shall not take effect except as to such collectors in the said counties as shall obtain, or cause to be obtained, the consent of all the sureties on their bonds, and not until said consent shall have been obtained and perfected in the manner prescribed by an act of the General Assembly of this State, approved January 26th, 1861, and entitled "An act

for the relief of the collectors of the revenue."

Mr. ORR offered the following amendment to the amendment:

Amend the amendment by adding after the word "Bates," in the second line, the counties of Vernon, Barton, Jasper, Newton, McDonald, Barry, Lawrence, Dade, Cedar, Greene, Stone, Taney, Webster, Polk, Dallas, Laclede, Wright, Texas, Howell, Ozark, Douglass, and Hickory."

Pending the consideration of which, on motion of Mr. MARVIN, the Convention adjourned until to-morrow morning at nine o'clock.

ELEVENTH DAY.

FRIDAY MORNING, June 13, 1862.

The Convention met pursuant to adjournment, and was opened with prayer by the Rev. Mr. ALLEN.

The Journal was being read, when, on motion of Mr. LEEPER, its further reading was dispensed with.

Mr. DOUGLASS, from the Committee on Finance, made the following report:

"The Committee on Finance beg leave to report 'An ordinance appropriating money to pay the members and officers of the Convention, and to defray the contingent expenses thereof,' and recommend its passage. W. DOUGLASS, *Ch'n.*"

AN ORDINANCE APPROPRIATING MONEY.

Be it ordained by the People of the State of Missouri in Convention assembled as follows, to-wit:

That the sum of twelve thousand dollars be and the same is hereby appropriated out of any money in the treasury not otherwise appropriated for the pay and mileage of members and officers of this Convention, and to defray the contingent expenses thereof.

The ordinance was adopted by the Convention.

Mr. DOUGLASS, from the same committee, made the following report:

"The Committee on Finance beg leave to report an ordinance appropriating fifty thousand dollars, in defence warrants, to provide for the care of the sick and wounded soldiers of Missouri, and recommend its passage. W. DOUGLASS, *Ch'n.*"

AN ORDINANCE APPROPRIATING MONEY FOR THE CARE OF THE SICK AND WOUNDED SOLDIERS OF MISSOURI.

Be it ordained by the People of Missouri in Convention assembled as follows:

1. That the sum of fifty thousand dollars, in defence warrants, be and the same is hereby appropriated to provide for the care of the sick and wounded soldiers of Missouri, to be expended under the direction of the Governor of the State.

The ordinance was, on motion, adopted.

Mr. DOUGLASS, from the same committee, made the following report, which was agreed to:

"The Committee on Finance, to whom was referred the memorial of A. W. Morrison, late Treasurer of this State, report that they have considered the same, and as the law provides that the accounts of that officer must be examined by a Committee of the Legislature, one member thereof from the Senate and two from the House of Representatives, they therefore deem it inexpedient for this Convention to go into the examination asked for, and recommend that the prayer of the memorialist be not granted, and that the committee be discharged from the further consideration of the same. W. DOUGLASS, *Ch'n.*"

Mr. POMEROY offered a series of resolutions, in the nature of a memorial, asking for the passage of an Act by Congress creating a Commission for the liquidation of claims for damages sustained under wrongs committed in the nature of trespass by the

Federal army during the past year, and for property taken and consumed by the army, &c.

The memorial was read, and, on motion of Mr. POMEROY, referred to a select committee, consisting of Messrs. Pomeroy, Meyer, Birch, Dunn, and Marvin.

Mr. HALL of B., from the Committee on the Constitution, reported back the following ordinance with amendments, and recommended its passage:

AN ORDINANCE REQUIRING THE STATE SENATORS TO BE DIVIDED INTO CLASSES BY LOT.

Be it ordained by the People of the State of Missouri in Convention assembled as follows:

SECTION 1. That at the next session of the General Assembly, the Senators shall be divided by lot into classes, as provided in the seventh section of the third article of the Constitution, and every election to fill a vacancy in the Senate shall be for the residue of the term only.

The ordinance was, on motion, adopted.

Mr. IRWIN, from a select committee, made the following report:

"The committee to whom was referred the ordinance entitled 'An ordinance amending the third article of the State Constitution,' have had the same under consideration, and have instructed me to report the same to the Convention with the accompanying amendment, and recommend its passage. IRWIN, *Ch'n.*"

AN ORDINANCE AMENDING THE THIRD ARTICLE OF THE STATE CONSTITUTION.

Be it ordained by the People of the State of Missouri in Convention assembled as follows:

SECTION 1. The eighth section of the third article of the Constitution is hereby abolished and the following adopted in lieu thereof:

"After the first day of September, one thousand eight hundred and sixty-two, all general elections shall commence on the Tuesday next after the first Monday in November, and shall be held biennially; and the electors in all cases, except of treason, felony or breach of the peace, shall be privileged from arrest during their continuance at elections, and in going to and returning from the same."

Mr. MCFERRAN moved to lay the ordinance on the table and to print 200 copies, which motion was not agreed to.

The amendment proposed by the committee was agreed to.

Mr. HITCHCOCK offered the following amendment:

Strike out the word "September" in the fifth line, and insert in lieu thereof the word "July."

Mr. WOOLFOLK moved to lay the ordinance and the amendment on the table and print 200 copies for the use of the Convention, and to make it the special order for to-morrow at 10 o'clock; which was not agreed to.

Mr. DONIPHAN offered the following amendment:

"That the assessors to be elected for the year eighteen hundred and sixty-two, as the present laws now stand, shall for said year be appointed by the Governor."

On motion of Mr. HITCHCOCK, the ordinance and amendments were laid on the table, and made the special order for this day at 3 o'clock P. M.

Mr. CAYCE, from a select committee, made a report as follows:

"The committee to whom was referred the petition of M. F. Williams, John Teasdale, and William S. Murphy, Justices of the County Court of Washington County, for the repeal of an act of the General Assembly of the State of Missouri, entitled 'An act to separate the office of Sheriff and Collector in the County of Washington,' have had the same under consideration, and have instructed me to report the accompanying ordinance and recommend its passage. CAYCE, *Ch'n.*"

The ordinance reported entitled "An ordinance to repeal an act of the General Assembly entitled 'An act to separate the office of Sheriff and Collector in the County of Washington,' approved March 27, 1861, was rejected.

The Convention resumed the consideration of the amendment offered by Mr. Orr

to the "Ordinance in relation to Assessors and Collectors," when the amendment was disagreed to.

The amendment of Mr. Comingo was also disagreed to.

Mr. HALL of B. moved to lay the ordinance on the table, which was decided in the negative by the following vote, the ayes and noes being demanded by Mr. Jamison:

AYES—Messrs. Allen, Bass, Cayce, Frayser, Gravelly, Hall of B., Hendricks, Jamison, Johnson, Matson, McDowell, Pipkin, Ray, Ritchey, Ross, Sayre, Shackelford of H., and Sheeley—18.

NOES—Messrs. Bass, Bogy, Breckinridge, Bridge, Brown, Bush, Calhoun, Collier, Comingo, Doniphan, Donnell, Douglass, Drake, Dunn, Eitzen, Flood, Hitchcock, Holmes, How, Howell, Irwin, Jackson, Kidd, Leeper, Linton, Long, Marvin, McClurg, McCormack, McFerran, Meyer, Orr, Phillips, Pomeroy, Rankin, Scott, Shackelford of St. L., Shanklin, Smith of L., Smith of St. L., Stewart, Waller, Welch, Woolfolk, Vanbuskirk, and Zimmerman—47.

Mr. MCFERRAN offered the following amendment:

Amend by striking out the first two sections of the ordinance; which was disagreed to by the following vote, the ayes and noes called for by Mr. McFerran:

AYES—Messrs. Bast, Brown, Breckinridge, Cayce, Comingo, Gravelly, Hall of B., Hendricks, Hitchcock, Jamison, Johnson, Kidd, Marmaduke, McCormack, McDowell, McFerran, Orr, Pipkin, Ray, Ritchey, Ross, Sayre, Shanklin, Sheeley, and Vanbuskirk—25.

NOES—Messrs. Allen, Bass, Birch, Bogy, Bridge, Bush, Calhoun, Collier, Doniphan, Donnell, Douglass, Drake, Dunn, Eitzen, Frayser, Flood, Holmes, How, Howell, Irwin, Isbell, Jackson, Leeper, Long, Linton, Marvin, Matson, McClurg, Meyer, Phillips, Pomeroy, Rankin, Rowland, Scott, Shackelford of H., Shackelford of St. L., Smith of L., Smith of St. L., Stewart, Waller, Welch, Woodson, Woolfolk, and Zimmerman—44.

The President laid before the Convention the following communication from the Governor:

"*Gentlemen of the Convention:*

"I desire to call your attention to a subject which in my judgment ought to be acted upon.

"The President of the United States, in a message sent to Congress during its present session, proposed the adoption of a joint resolution declaring the willingness of Congress to furnish aid to any of the slave States that may think proper to adopt a measure of gradual emancipation. The language of the resolution proposed is not quoted, but such is its substance.

"The resolution was adopted by both Houses, and so becomes an offer by Congress. If we assume that it will be carried into effect by appropriations to be made by a future Congress, it is a proposition of unexampled liberality, and, whatever may be the views of the members of the Convention upon the subject of emancipation, the proposition calls for a courteous response. Courtesy between governments is as much required as between individuals.

"This State has received from the Government of the United States great attention and kindness—large armies have been maintained for our protection against invasion, and they have battled gallantly in our defence—money has been given us by the Government to equip our own citizens for their own defence—and now a considerable number of troops of our own people are armed, subsisted, clothed and paid by the Government in order that we may protect ourselves. Under such treatment, it would be unbecoming to pass over in silent indifference a proposition originating with the President of the United States.

"Many of our own citizens, and possibly the authorities at Washington, have expected that the Convention would take some action upon a scheme of gradual emancipation. The Convention has acted upon an ordinance containing a scheme upon this subject by laying it upon the table. The course thus adopted is understood to dispose of the subject, according to your rules, for your present session, and therefore it is not now intended to propose to you to re-open and reconsider the subject.

"But this action of the Convention will, without doubt, be so misrepresented as to excite a hostile feeling to the State among all those in authority who favor emancipation, and thus injuriously affect the interests of the State. As no reason could be given upon the motion by which the ordi-

nance was disposed of, the result may be represented as rudely discourteous to the President and Congress. The manifest propriety of making a response to the offer of the President and Congress affords an opportunity of removing all grounds for *such an unjust and injurious imputation.*

"If, in the understanding of the Convention, it was not contemplated by the people, when electing the body, that it should ever act upon the subject of slavery in the State, and therefore such action would be improper; or, if the Convention believes that the public mind is so agitated already that the proposal of any scheme of emancipation would produce dangerous excitement, there can be no objection to assigning either as a reason for abstaining from action upon the subject, and leaving it for a different body or another time. When the reason is thus given, misrepresentation is prevented, and the proposition made by the President and Congress is so answered that there will be no appearance of a design to treat their offer with neglect.

"In theory, Conventions are understood to possess all political power, but in actual practice they confine themselves to the measures upon which the people at the time of their election expected them to act. When this Convention was chosen, the subject before the public mind was the relations between the State and the General Government. Acting upon this subject, the Convention deposed a Governor and Legislature because they were trying to disturb those relations; militia ordinances were adopted, because a military force was necessary to maintain those relations; the offices of all persons who refused to take an oath of allegiance were vacated, because official power in the hands of disloyal persons might be employed to disturb such relations; laws were vacated, because they *had been passed for the purpose of bringing* on a collision with the General Government;—in fine, the action of the Convention has been mainly addressed to the one subject which it was elected to consider, and to those which naturally arose out of it.

"When, then, it is asked to entertain a proposition which is to effect a radical change in the social organization of the State, it is well warranted in declining to act upon the proposition upon the ground that the people, in choosing the Convention, never intended or imagined that the body would undertake any *social* revolution wholly unconnected with the relations between the State and the General Government. No person who understands the principles of our government would object to such action, unless it be one who is willing to disregard all principle to accomplish a desired end.

"If the Convention, assembled from all parts of the State, is satisfied that in the present condition of the public mind any proposition upon the subject of emancipation would produce excitement dangerous to the peace of the State, the statement of that as a reason for declining to act upon the offer of the Government ought to satisfy every person that such declension is not intended as any disrespect to any other body or officer.

"It is not suggested that the Convention is to make any apology to any person; but as the proposition made by the Government of the United States is one which is *entitled to a respectful answer in express* language; it would be very appropriate to adopt a resolution as a direct response. This need not produce any general discussion, as it need not involve the merits of the question of emancipation. It would only be an act of courtesy to the authorities of our own Government, who have made a proposition, which, if it ever be carried into effect, will exhibit the greatest liberality.

"It is therefore submitted to the Convention, that a resolution be adopted which shall be a response to the offer made by the President and Congress.

H. R. GAMBLE."

On motion of Mr. HALL of B., the message was laid on the table, and 200 copies ordered to be printed.

The Convention having resumed the consideration of the ordinance, Mr. SHEELEY offered the following amendment:

Amend by adding at the end of the first section the words:

"It shall be the duty of the County Court of the counties of Jackson, Cass and Bates, to cause the property in said counties to be reassessed for the year 1861, and only such property as may have been owned on the 1st day of February, 1862, or owned on the 1st day of February, 1861, and shall have been voluntarily moved out of the county, shall be so reassessed, and the revenue, both State and county, in said counties shall be taxed on such reassessment; and the assessments heretofore made in said counties for the year 1861 are declared to be of no effect."

Mr. MATSON moved to amend as follows:

Strike out "the counties of Jackson, Cass and Bates," and let it apply to the whole State; which was agreed to.

Mr. COMINGO offered the following amendment:

Amend 1st section by striking out all after the word "shall" in the 5th line, and insert as follows:

"*Assess all property owned by the tax* payers of said counties within the bounds thereof on the 1st day of February, 1862, and on such assessment shall be levied the taxes for the year 1862, and the clerks of the courts of said counties shall make out two tax books from said assessment, on one of which shall be collected the taxes for the year 1861, and on the other for the year 1862; and the assessments made, as herein provided, for the year 1862, shall be returned to the proper county courts on or before the 1st day of February, 1863."

Also, by inserting in the 3d line, between the words "collect" and "the taxes," the words "any part of."

Mr. SHACKELFORD of H. moved the previous question; and the question being "Shall the main question be now put?" was decided in the negative.

Mr. MCFERRAN, on leave, called up the ordinance entitled "An ordinance in relation to voting in certain counties," and the amendment heretofore offered by Mr. Woolfolk was accepted.

Mr. SHACKELFORD of H. moved the following amendment:

Strike out sections 1, 2, 3, 4 and 5.

Mr. HOWELL moved to lay the ordinance and amendment on the table, which was decided in the negative.

Mr. BIRCH moved to amend as follows:

Amend by striking out "precincts" in the 4th line of the 1st section, and insert "township;" strike out "a clerk" in 1st line of 2d section, and insert "two clerks;" strike out "precinct" in 2d line of 3d section, and insert "township;" which were severally agreed to.

Mr. DUNN offered to amend as follows:

Insert after "time," in the 5th line of 1st section, the words "and place;" which amendment was agreed to.

Mr. DOUGLASS offered the following amendment, which was agreed to:

Amend section 1st, in line 4th, by inserting after the word "and" the words "a majority of."

Mr. BIRCH offered the following amendment, which was agreed to:

Insert after the word "polls," in 5th line of section 1st, the words "which shall be at the same place, as near as may be, as the elections were authorized to be for members of this Convention."

On motion of Mr. ZIMMERMAN, the Convention adjourned until half-past 2 o'clock.

EVENING SESSION.

On leave, Mr. BRECKINRIDGE offered the following resolution, which was adopted:

Resolved, That the special message of the Governor recommending some action by the Convention in response to the proposition of the Congress of the United States concerning the emancipation of slaves, made at the instance of the President of the United States, be referred to a special committee of five, with instructions to report without delay by resolution or otherwise.

The President appointed the following gentlemen as the select committee under said resolution: Messrs. Breckinridge, Douglass, Doniphan, Orr, and Howell.

MR. HITCHCOCK, on leave, offered the following resolutions:

WHEREAS, the Congress of the United States, upon the special recommendation of the President, has, at its present session, adopted a joint resolution in the following words, to-wit:

"*Resolved,* That the United States ought to co-operate with any State which may adopt a gradual abolishment of slavery, giving to such State aid, to be used in its discretion, to compensate for the inconveniences, public and private, produced by such change of system."

And Whereas, The President of the United States, in his recent proclamation revoking and annulling a certain unauthorized declaration assumed to be made by Major General David Hunter, of the United States Army, has earnestly invited the people of the States interested to the consideration of the said joint resolution, and the proposition therein contained:

Be it, therefore,

Resolved, 1st. That, in the opinion of this Convention, the proposition contained in the said joint resolution adopted by Congress and approved ———, A. D. 1862, is entitled, as well from its exalted source as from its intrinsic importance, to the deliberate and respectful consideration of the people of Missouri.

Resolved, 2d. That while a majority of this Convention have not felt authorized at this time to take action with respect to the grave and delicate questions of private right and public policy presented by said resolution, yet this body desires cordially to recognize as well the generous spirit therein displayed by the Government of the United States, as the eminent patriotism and ability which have distinguished the President of the United States in his efforts to subdue this unholy rebellion, and to restore peace and order to this State.

Which, on motion, was referred to the select committee of five appointed on the resolution of Mr. Breckinridge.

The question before the Convention being on the amendment offered by Mr. Shackelford of H. to "An ordinance in relation to voting in certain counties," it was rejected by the following vote, the ayes and noes being demanded by Mr. Shackelford of H.:

AYES—Messrs. Breckinridge, Bush, Cayce, Donnell, Hall of B., Howell, Leeper, Long, Matson, McClurg, McCormack, Meyer, Orr, Ray, Ritchey, Ross, Scott, Shackelford of H., Sheeley, Smith of L., Welch—21.

NOES—Messrs. Allen, Birch, Bogy, Bridge, Brown, Calhoun, Collier, Doniphan, Douglass, Dunn, Eitzen, Frayser, Gravelly, Hendricks, Hitchcock, Holmes, How, Irwin, Isbell, Jackson, Jamison, Johnson, Linton, Marvin, McDowell, McFerran, Phillips, Pipkin, Pomeroy, Rankin, Sayre, Shackelford of St. L., Shanklin, Smith of L., Stewart, Waller, Woodson, Woolfolk, Vanbuskirk, Zimmerman—40.

Mr. MCFERRAN moved to amend, by way of new section, as follows:

"In counties where there are no County Clerks, any candidate may file the oath required by ordinance with the board of judges herein provided for, and said board shall cast up and certify the vote given for each candidate that complies with this section the same as if said oath had been filed in the time and manner required by the ordinance heretofore passed."

Mr. HITCHCOCK moved to amend the amendment by adding, "and said affidavits shall be filed together with the poll books in the County Clerk's office," which was agreed to.

And the amendment as amended was, on motion, agreed to.

Mr. MCFERRAN offered to amend, by way of new section, as follows:

"The judges and clerks of election, under this ordinance, shall perform all the duties and be subject to all the penalties prescribed by existing laws."

Which, on motion, was agreed to, and the ordinance as amended was then adopted.

The special order, being "An ordinance amending the third article of the State Constitution" with the amendments proposed thereto, was then taken up, when Mr. DONIPHAN, on leave, withdrew his amendment.

The amendment offered by Mr. HITCHCOCK was then agreed to by the following vote, the ayes and noes being demanded by Mr. McFerran:

AYES—Messrs. Allen, Bass, Bast, Bogy, Breckinridge, Bridge, Bush, Calhoun, Cayce,

Comingo, Doniphan, Donnell, Drake, Eitzen, Flood, Hall of B., Hitchcock, Holmes, How, Howell, Hudgens, Irwin, Jackson, Linton, Long, Marvin, McDowell, Meyer, Phillips, Pipkin, Pomeroy, Rankin, Ray, Ross, Sayre, Shackelford of St. L., Smith of St. L., Stewart, Waller, Woodson, Vanbuskirk, and Zimmerman—42.

NOES—Messrs. Birch, Brown, Collier, Douglass, Dunn, Frayser, Gravelly, Hendricks, Isbell, Jamison, Johnson, Leeper, Matson, McClurg, McCormack, McFerran, Orr, Ritchey, Scott, Shackelford of H., Shanklin, Sheeley, Smith of L., Welch, and Woolfolk—25.

The amendment offered by the committee was agreed to, and the ordinance as amended was then adopted.

Mr. DONIPHAN moved to reconsider the vote adopting the "Ordinance amending the third article of the State Constitution," and to lay the motion to reconsider on the table; which motion was decided in the affirmative.

The "Ordinance in relation to the duties of the Register of Lands and County Assessors" was taken up.

Mr. POMEROY offered to amend as follows:

Amend by striking out the last paragraph in the first section; which amendment was agreed to.

The first section of the ordinance as amended was then disagreed to, and, on motion of Mr. HOWELL, the ordinance was laid on the table.

The "Ordinance for the payment of Division Inspectors and for other purposes" was then taken up and considered by sections.

Mr. BIRCH offered the following amendment, which was agreed to:

Strike out all after the word "militia," in the third line of section first, and insert the words "at the rate of three dollars per day, together with their personal expenses during the time they were actually employed in raising and mustering troops into the service of the State."

Mr. PHILLIPS offered the following amendment which was agreed to:

Amend by adding after the word "State" these words: "*Provided*, that such Inspectors were not, at the time of such service, receiving pay otherwise as an officer of the Militia."

The first section as amended was then agreed to.

Mr. DOUGLASS moved the following amendment to section 2, which was agreed to:

Amend section 2, in line 4, by inserting after the word "service" these words: "and such other claims growing out of the military service of the State."

Mr. BIRCH offered the following amendment which was agreed to:

Amend section 2 by adding these words: "And the Commissioners so appointed shall also inquire into and report upon all claims for military service purporting to have been rendered before the claimants were regularly organized into the service of the State, whether for want of an Inspector or otherwise, and such sums as may be found due to such claimants *according to the very right of the case* shall be so certified to the Governor, and if approved by him shall be paid by the Paymaster or the Assistant Paymaster of the Missouri State Militia."

Mr. HALL of B. offered the following amendments, which were agreed to:

Amend the second section by striking out the words "Quartermaster General," and insert in the second line the word "Governor;" and by striking out the words "to him" in seventh line, and insert after the word "payment" the words "and approved by the Governor."

The second section as amended was then agreed to.

Mr. PHILLIPS offered the following amendment, which was agreed to:

Amend third section by striking out all after the word "distribution" occurring in sixth line.

The third section as amended was then agreed to.

Mr. HALL of B. moved to amend by adding a new section, as follows:

"SEC. 4. All payments made under this ordinance shall be made in defence warrants."

Which amendment was agreed to.

Mr. MCFERRAN offered the following amendment, which was agreed to:

Amend, by way of new section, as follows:

"SEC. 5. This ordinance shall be in force

from and after its passage, and may be repealed at any time by the General Assembly of this State."

The ordinance as amended was then adopted.

Mr. HALL of B. offered the following resolutions:

Resolved, That the existence of this Convention shall terminate on the 1st day of March, eighteen hundred and sixty-three, and in the mean time shall be subject to be called together by the Governor if in his opinion the public exigencies require its assemblage, but not otherwise.

Resolved, That this Convention will adjourn its present session at Jefferson City on to-morrow at 11 o'clock.

Mr. BRECKINRIDGE offered the following as a substitute for Mr. Hall's resolutions:

Resolved, That when this Convention adjourns its present session, it will adjourn until the fourth day of July, A. D. eighteen hundred and sixty-three, on which day it shall stand finally adjourned without assembling; subject, however, to the call of the Governor, who shall have power to convene the body on that day, or at such time prior thereto, and at such place, as in his judgment the public exigencies may require.

Mr. ORR moved to lay the substitute on the table, which was decided in the negative.

The substitute offered by Mr. BRECKINRIDGE was then adopted.

Mr. HENDRICKS introduced an ordinance entitled "An ordinance supplementary to an ordinance entitled 'An ordinance defining the qualifications of voters and civil officers in this State;'" which was, on motion, rejected by the Convention.

On motion of Mr. BROWN,

Resolved, That the Chaplain of this Convention be allowed the same per diem pay as members of this Convention.

On motion of Mr. BRECKINRIDGE,

Resolved, That the Committee on Accounts be instructed to allow to L. L. Walbridge mileage and the pay which was by the original contract agreed to be allowed to both of the Reporters, and that said claim be paid in the same manner as the pay of the officers and members of this Convention.

Mr. HITCHCOCK offered the following resolutions:

Resolved, 1*st*. That 15,000 copies of the Ordinances adopted by this Convention be printed in pamphlet form, and that when printed they be delivered to the Secretary of State for distribution as follows: Ten copies to each member of this Convention, and the remainder to the Clerks of the County Courts, or other equivalent officer, of the several counties in this State, in the same proportion as the Session Acts are now required to be distributed to said counties, and it shall be the duty of such Clerks to distribute the copies so received by them among the voters of their respective counties.

2*d*. That the Revenue Law, approved March 27, 1861, together with all Acts amendatory or supplementary thereto, be printed with and attached to said Ordinances.

3*d*. That the Secretary of this Convention be and he is hereby directed to append to the Journals to be printed therewith, all Ordinances and all Resolutions of a general nature adopted by this Convention.

4*th*. That the Committee appointed at the Session of this Convention in October, 1861, to contract for printing the Proceedings thereof, be and the same is hereby revived, and authorized to contract for the printing authorized by the foregoing resolutions, and also for the printing of five thousand copies of the Proceedings and Debates of this Convention at its present Session; *provided*, that the rates to be paid therefor shall not exceed the rates heretofore paid for printing the Proceedings of this body: and said Committee shall procure all the printing authorized by these resolutions to be properly done and distributed under such contracts, and shall audit the account therefor, which account, when audited and approved by a majority of such Committee, shall be paid for as other allowances of this Convention.

5*th*. That the copies of the Proceedings and Debates of the present Session above authorized to be printed shall be forwarded by the persons employed to print the same, in the same manner as provided by resolu-

tion of this body, adopted on the 22d day of March, 1861, in respect to the Proceedings and Debates of the first Session, except that for the members of the late General Assembly therein mentioned, the members of the next General Assembly shall be substituted.

The 1st resolution was agreed to.

Mr. SHEELEY moved to amend by striking out the 2d resolution; which amendment was agreed to.

The 3d resolution was agreed to.

Mr. PHILLIPS offered the following amendment, which was agreed to:

Amend by adding to the 4th resolution as follows:

"That said Committee be instructed to contract with George Knapp & Co. for the printing herein provided for."

The 4th resolution as amended was then agreed to, and the 5th resolution was agreed to.

Mr. IRWIN introduced an ordinance entitled "An ordinance relating to County Assessors and other officers," which was adopted by the Convention.

Mr. BRECKINRIDGE called up an ordinance entitled "An ordinance in relation to Assessors and Collectors," which was under consideration this morning.

The substitute offered by Mr. Comingo was disagreed to, and the amendment of Mr. Sheeley was rejected.

Mr. BUSH moved to amend by striking out of section 1st the words "who shall be elected in August next, or such as may be," and also the words "in case of a failure to elect;" and to add to the end of the section the following words, "and the assessors shall be also required to make remarks on their returns in all cases which seem to demand relief;" which was agreed to.

Mr. DOUGLASS moved to amend section 1st by striking out all after the word "law," in line third, to the word "uncollected" inclusive, in line fourth; which amendment was agreed to.

Mr. WOOLFOLK offered the following amendment, which was rejected: Amend section 1st by adding after the word "law," in the seventh line, as follows: "for the years 1861 and 1862;" also, strike out, in said line, "on the 1st day of February, 1861;" and insert after the "1st day of February, 1862," in the eighth line, as follows, "and not acquired by purchase since the first day of February, 1861."

The question being on agreeing to the 1st section as amended, it was decided in the affirmative by the following vote, the ayes and noes being demanded by Mr. ORR:

AYES—Messrs. Allen, Birch, Bogy, Breckinridge, Bridge, Bush, Douglass, Dunn, Eitzen, Frayser, Gravelly, Hall of B., Hendricks, Hitchcock, Holmes, How, Irwin, Isbell, Jackson, Jamison, Johnson, Leeper, Linton, Long, Marvin, McClurg, McCormack, McDowell, McFerran, Meyer, Phillips, Pomeroy, Rankin, Rowland, Scott, Shackelford of St. L., Shanklin, Smith of St. L., Stewart, Welch, Woolfolk, and Vanbuskirk—42.

NOES—Messrs. Bass, Bast, Brown, Calhoun, Cayce, Donnell, Drake, Flood, Howell, Hudgens, Matson, Orr, Pipkin, Ritchey, Sayre, Shackelford of H., Smith of L., Waller, Woodson, and Zimmerman—20.

The second, third and fourth sections were then read and severally agreed to.

On motion of Mr. BRIDGE, the fifth section was amended by striking out the words [from] "notwithstanding" to "next," in the thirteenth line, and the section as amended was then agreed to.

The sixth, seventh, eighth, tenth and eleventh sections were then severally read by the Secretary and agreed to by the Convention.

Mr. MCFERRAN offered the following amendment by way of new section, as follows:

"SEC. —. This ordinance shall be in force from and after its passage, and may be repealed at any time by the General Assembly of this State."

Which amendment was agreed to.

Mr. IRWIN offered the following amendment, which was agreed to.

Amend by adding the following additional sections:

"SEC. —. Where any collector may have received and receipted for the tax books for the taxes due for 1861, and shall have collected a portion thereof prior to the time of his failure to take the oath heretofore prescribed by this Convention and his consequent removal from office,

such collectors shall make settlement with the County Court, who shall allow to such collector on such settlement the amount of the taxes remaining uncollected. The amount of taxes collected shall be paid over to his successor in office, taking duplicate receipts therefor, one of which shall be transmitted to the Auditor of Public Accounts, and the Auditor shall charge such successor with the amount received by him from the former collector. County Courts are hereby authorized to make such settlement in the same manner as if made at the time at which such settlement is required to be made by existing laws.

"SEC. —. The present collectors, or the collectors hereafter to be elected or appointed, shall proceed to the collection of the taxes thus remaining uncollected in the manner required by law, and he shall have the same power to enforce such collections as he may have for the taxes of 1863 now provided by law and the terms of this ordinance."

Mr. BRECKINRIDGE offered the following amendment, which was agreed to:

Amend by adding, as a new section, as follows:

"SEC. —. The Governor is hereby authorized, if in his judgment the additional labor required by this ordinance to be performed by the Register of Lands makes it necessary, to appoint an additional clerk for that office, to continue in office during his pleasure, and to be paid for the time so employed at the rate of six hundred dollars per annum."

The ordinance as amended was then adopted by the Convention.

On motion of Mr. HOWELL, the vote disagreeing to the "Ordinance in regard to the duties of the Register of Lands and County Assessors" was reconsidered.

On motion of Mr. IRWIN, the vote on agreeing to the "Ordinance relating to County Assessors and other officers" was reconsidered; when Mr. Irwin offered the following amendment to said ordinance, which was agreed to:

Amend by inserting after the word "elected," in the eighth line, the words "or appointed."

The said ordinance as amended was then adopted by the Convention.

On motion of Mr. ALLEN, the Convention adjourned until to-morrow morning at 8 o'clock.

TWELFTH DAY.

SATURDAY MORNING, June 14, 1862.

The Convention met pursuant to adjournment, and was opened with prayer by Rev. Mr. ALLEN.

On motion of Mr. DONIPHAN, the reading of the Journal of proceedings of yesterday was dispensed with.

Mr. POMEROY, from the select committee to whom was referred a memorial and certain resolutions, presented the following report, which was agreed to:

"The committee to whom was referred the resolutions in relation to the improper destruction and seizure and removal of property of citizens of the State of Missouri by certain officers and soldiers of the army of the United States, and by persons engaged in waging war against the United States contrary to the laws of war, recommend the adoption of the resolutions herewith reported. POMEROY, *Ch'n.*"

Resolved, 1. That our Senators and Representatives in Congress be requested to secure the passage of a law by Congress providing for the adjudication by Commissioners and the payment by the United States of all claims of citizens of the State of Missouri that may be found to be just, arising out of the improper destruction and seizure and removal of property by certain

officers and soldiers of the army of the United States, and by persons engaged in waging war against the United States contrary to the laws of war.

Resolved, 2. That the Secretary of this Convention forward a copy of these Resolutions to each of our Senators and Representatives in Congress.

On motion of Mr. SMITH of St. L.,

Resolved, That during the remainder of this session no member shall speak longer than five minutes on any question.

Mr. BRECKINRIDGE, from the select committee to whom was referred the Message of the Governor, presented the following report:

"The select committee, to which was referred the message of the Governor, 'recommending some action in response to the proposition of the Congress of the United States concerning the emancipation of slaves, adopted at the instance of the President of the United States,' having had the same under consideration, and being unable to agree, the undersigned, a majority thereof, beg leave to report the accompanying resolutions, and recommend their passage.

S. M. BRECKINRIDGE, *Ch'n.*
SAMPLE ORR,
W. DOUGLASS."

WHEREAS, The Congress of the United States, upon the special recommendation of the President, has at its present session, adopted a joint resolution, in the following words, to wit:

"*Resolved*, That the United States ought to co-operate with any State which may adopt gradual abolishment of slavery, giving to such State pecuniary aid, to be used by such State in its discretion, to compensate for the inconveniences, public and private, produced by such change of system:"

Be it, therefore,

Resolved, 1*st*. That in the opinion of this Convention the proposition contained in the said joint resolution adopted by Congress and approved April 10, A. D. 1862, is entitled, as well from its eminent source, as from its intrinsic importance, to deliberate and respectful consideration.

Resolved, 2*d*. That while a majority of this Convention have not felt authorized to take action with respect to the grave and delicate questions of private right and public policy presented by said resolution, yet this body desires to recognize the liberality therein displayed by the Government of the United States, and to express its profound appreciation thereof.

Resolved, 3*d*. That the Governor be, and he is hereby requested, to transmit properly authenticated copies of the foregoing resolutions to the President of the United States, and to the presiding officers of the Senate and the House of Representatives.

Mr. STEWART submitted a substitute, which was read; after which he withdrew it.

Mr. RAY moved to lay the resolutions and report on the table, which was decided in the negative by the following vote, the ayes and noes being demanded by him:

AYES — Messrs. Bast, Brown, Calhoun, Donnell, Drake, Frayser, Hudgens, Marmaduke, Matson, Pipkin, Ray, Sayre, Shackelford of H., Sheeley, and Zimmerman—15.

NOES—Messrs. Allen, Bass, Birch, Bogy, Breckinridge, Bridge, Bush, Cayce, Collier, Comingo, Doniphan, Douglass, Dunn, Eitzen, Flood, Hall of B., Hendricks, Hitchcock, Holmes, How, Howell, Irwin, Isbell, Jackson, Jamison, Johnson, Kidd, Leeper, Linton, Long, Marvin, McClurg, McCormack, McDowell, McFerran, Meyer, Orr, Phillips, Pomeroy, Rankin, Ritchey, Ross, Scott, Shackelford of St. L., Shanklin, Smith of L., Smith of St. L., Stewart, Waller, Welch, Woodson, Woolfolk, and Vanbuskirk—53.

Mr. HALL of B. offered the following as a substitute:

"The Convention of the State of Missouri, in response to the message of his excellency Governor Gamble with reference to the message of the President of the United States, and the resolution of the Congress of the United States upon the subject of emancipation, adopt the following resolution:

"*Resolved*, That while this Convention recognizes the liberality of the Government of the United States in the action referred to, yet the Convention thinks it should not act upon the subject of emancipation, for the following, among other reasons:

"'When this Convention was chosen, the subject before the public mind was the relations between the State and the General

Government. Acting upon this subject, the Convention deposed a Governor and Legislature because they were trying to disturb those relations; militia ordinances were adopted, because a military force was necessary to maintain those relations; the offices of all persons in office who refused to take an oath of allegiance were vacated, because official power in the hands of disloyal persons might be employed to disturb such relations; laws were vacated, because they had been passed for the purpose of bringing on a collision with the Government; in fine, the action of the Convention has been mainly addressed to the one subject which it was elected to consider, and to those which naturally arose out of it.

"'When, then, it is asked to entertain a proposition which is to effect a radical change in the social organization of the State, it is well warranted in declining to act upon the proposition upon the ground that the people, in choosing the Convention, never intended or imagined that the body would undertake any social revolution wholly unconnected with the relations between the State and the General Government.'"

Mr. RAY moved to strike out of the substitute the following words, to-wit: "while this Convention recognizes the liberality of the Government of the United States in the action referred to, yet;" which motion was disagreed to by the following vote, the ayes and noes being demanded by Mr. Stewart:

AYES—Messrs. Bass, Bast, Birch, Brown, Calhoun, Donnell, Drake, Flood, Hitchcock, Hudgens, Marmaduke, Matson, Pipkin, Ray, Ross, Sayre, Shackelford of H., Sheeley, and Welch—19.

NOES—Messrs. Allen, Bogy, Breckinridge, Bridge, Bush, Collier, Comingo, Doniphan, Douglass, Dunn, Eitzen, Frayser, Gravelly, Hall of B., Hendricks, Holmes, How, Howell, Irwin, Isbell, Jackson, Jamison, Johnson, Kidd, Leeper, Linton, Long, Marvin, McClurg, McCormack, McDowell, McFerran, Meyer, Orr, Phillips, Pomeroy, Rankin, Ritchey, Scott, Shackelford of St. L., Shanklin, Smith of L., Smith of St. L., Stewart, Woolfolk, and Vanbuskirk—46.

Mr. MARMADUKE offered the following amendment, which was rejected:

Amend by striking out all after the word "emancipation" in the resolution.

The question now being on the substitute offered by Mr. Hall of B., it was rejected by the following vote, the ayes and noes being demanded by Mr. Stewart:

AYES—Messrs. Bass, Bast, Birch, Brown, Calhoun, Comingo, Doniphan, Donnell, Drake, Dunn, Flood, Hall of B., Howell, Hudgens, Irwin, Jamison, Kidd, Marmaduke, Matson, McDowell, Pipkin, Rankin, Ray, Ritchey, Ross, Sayre, Shackelford of H., Sheeley, Welch, and Woodson—30.

NOES—Messrs. Allen, Bogy, Breckinridge, Bridge, Bush, Collier, Douglass, Eitzen, Gravelly, Hendricks, Hitchcock, Holmes, How, Isbell, Jackson, Johnson, Leeper, Linton, Long, Marvin, McClurg, McCormack, McFerran, Meyer, Orr, Phillips, Pomeroy, Scott, Shackelford of St. L., Shanklin, Smith of L., Smith of St. L., Stewart, Woolfolk, and Vanbuskirk—35.

Mr. BIRCH offered the following as a substitute:

"In response to the proposition of the Government of the United States, as officially brought to the notice of this Convention by the Governor's message of yesterday, it is

"*Resolved*, That the lateness of the period to which the consideration of the momentous question therein alluded to has been thus deferred, renders the proper discussion thereof impracticable under the rule which has been adopted for closing the proceedings of this body; and that for this and other reasons the consideration of the proposition is at this time respectfully declined."

Mr. HALL of B. moved the previous question, which was sustained.

The question now being on the substitute as offered by Mr. Birch, it was rejected by the following vote, the ayes and noes being demanded by Mr. Meyer:

AYES—Messrs. Bass, Bast, Birch, Brown, Calhoun, Doniphan, Donnell, Drake, Dunn, Flood, Howell, Marmaduke, Matson, McDowell, Ray, Ritchey, Ross, Sayre, Shackelford of H., Sheeley, Welch, and Woodson—22.

NOES—Messrs. Allen, Bogy, Breckinridge, Bridge, Bush, Collier, Douglass, Eitzen, Gravelly, Hall of B., Hendricks, Hitchcock, Holmes, How, Irwin, Isbell, Jackson, Jamison, Leeper, Linton, Long, Marvin, McClurg, McCormack, McFerran, Meyer, Orr, Phillips, Pomeroy, Rankin, Scott, Shackelford of St. L., Shanklin, Smith of L., Smith

of St. L., Stewart, Woolfolk, and Vanbuskirk—38.

The resolutions as reported by the majority of the committee were then adopted, the ayes and noes being demanded by Mr. Isbell.

AYES—Messrs. Allen, Bogy, Breckinridge, Bridge, Bush, Collier, Douglass, Eitzen, Gravelly, Hendricks, Hitchcock, Holmes, How, Irwin, Isbell, Jackson, Johnson, Leeper, Linton, Long, Marvin, McClurg, McCormack, McFerran, Meyer, Orr, Phillips, Pomeroy, Rankin, Scott, Shackelford of St. L., Shanklin, Smith of L., Smith of St. L., Stewart, Woolfolk, and Vanbuskirk—37.

NOES—Messrs. Bass, Bast, Birch, Brown, Calhoun, Comingo, Donnell, Drake, Dunn, Hall of B., Howell, Marmaduke, Matson, McDowell, Ray, Ritchey, Ross, Sayre, Shackelford of H., Sheeley, Welch, Woodson, and Zimmerman—23.

On motion of Mr. ALLEN,

Resolved, That the Committee on Accounts be instructed to allow to the Hon. James H. Birch, a member of this Convention, his per diem pay from the first day of the present session.

Mr. LEEPER introduced the following ordinance:

Be it ordained by the People of Missouri in Convention assembled as follows:

SECTION 1. That hereafter if any vacancy from any cause shall occur among the commissioned officers in any company of the Missouri State Militia, that such vacancy shall be filled by the appointment of the Executive of the State.

SEC. 2. Provided, however, that the General Assembly may at any time repeal this ordinance.

Which said ordinance was, on motion of Mr. BOGY, laid on the table.

Mr. DOUGLASS, as Chairman of the Committee on Finance, submitted the following report, which was agreed to:

"The Committee on Finance, to whom was referred the memorial of G. C. Swallow, respectfully report that since the said reference they have received a letter from said Swallow asking leave to withdraw his said memorial, and the Committee therefore recommend that said Swallow be permitted to withdraw his said memorial, and that they be discharged from the further consideration of the same."

On motion of Mr. HITCHCOCK,

Resolved, That this Convention has heard with high gratification, since its assembling, the tidings of the successes of the Union arms at Corinth, Memphis, and in Virginia, and hereby tenders its thanks and congratulations to the gallant men and their able and distinguished leaders who have exposed their lives in defence of the National Government, and its earnest sympathy to the friends of those who have fallen gloriously in so just a cause.

On motion of Mr. ORR, the "Ordinance in relation to the duties of the Register of Lands and County Assessors" was taken up by the Convention.

On motion of Mr. MCFERRAN, the 1st, 2d, 3d, 4th, 7th and 8th sections were stricken out of said ordinance.

On motion of Mr. MCCORMACK, the 5th section was amended by adding the following words at the conclusion of said section, "to be paid into the State Treasury."

The ordinance as amended was then adopted by the Convention.

On motion of Mr. BOGY,

Resolved, That the thanks of this Convention are due and are tendered to the officers of this Convention for the dignity, courtesy and ability with which they have fulfilled the duties of their respective offices.

On motion of Mr. MCFERRAN, the Convention adjourned until the fourth day of July, eighteen hundred and sixty-three, under the resolution adopted on yesterday.

AIKMAN WELCH,
Vice-Pres't of the Convention.

Attest: SAMUEL A. LOWE,
Secretary of the Convention.

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APPENDIX TO JOURNAL.

ORDINANCES

PASSED AT THE VARIOUS SESSIONS

OF THE

MISSOURI STATE CONVENTION.

AN ORDINANCE PROVIDING FOR CERTAIN AMENDMENTS TO THE CONSTITUTION.

The People of the State of Missouri, by their Delegates in Convention assembled, do ordain as follows:

First. That the offices of Governor, Lieutenant Governor, Secretary of State, and members of the General Assembly, be and the same are hereby vacated.

Second. A Governor, Lieutenant Governor, and Secretary of State, shall be appointed by this Convention, to discharge the duties and exercise the powers which pertain to their respective offices by the existing laws of the State, and to continue in office until the first Monday of November, 1861, and until their successors are elected and qualified, or until the qualified voters as hereinafter provided disapprove the action of this Convention.

Third. On the first Monday of November, 1861, a Governor, Lieutenant Governor, and Secretary of State, and members of the General Assembly, shall be elected by the qualified voters of this State, to hold their offices during the term for which the present incumbents of said offices were elected.

Fourth. The elections provided to be held by this ordinance on the first Monday of November, 1861, shall be conducted in the same manner in all respects as is now provided by the election laws of this State now in force, and shall be held by the qualified voters of the State, at the same place in the election precincts now established by law, where the elections were held for delegates to this Convention on the 18th day of February last; and in case any clerk shall fail to make out the proper poll books, or in case any sheriff shall fail to deliver the same to the judges of election, then the clerks of the election may proceed to make out such poll books.

Fifth. In case the clerks of the several courts whose duty it is as now provided by law to certify and send up to the Secretary of State an abstract of the votes given at such election, or in case there should be a failure to receive such returns at the seat of government within twenty days after the first Monday of November, 1861, the Secretary of State shall dispatch a messenger to the county not returned, with directions to bring up the poll books authorized to be retained by the judges of election, and the Secretary of State, in the presence of the Governor, shall proceed to cast up the votes given at such election, and shall thereupon proceed to issue commissions to the candidates having the highest number of votes.

Sixth. Be it further ordained, That the returns of the election for Governor, Lieutenant Governor, and Secretary of State,

provided for by this ordinance, shall be made to the office of the Secretary of State as now provided by law; and the Secretary of State, within forty days after the first Monday of November, 1861, or sooner if the returns shall have been made, shall, in the presence of the Governor, proceed to cast up the votes given at said election for Governor, Lieutenant Governor, and Secretary of State; and shall give to the persons having the highest number of votes for these offices respectively, certificates of their election; and the persons so elected shall immediately thereafter be qualified and enter upon the discharge of the duties of their respective offices.

Adopted July 30, 1861.

AN ORDINANCE CONCERNING THE REPEAL AND ABROGATION OF CERTAIN LAWS, AND FOR OTHER PURPOSES.

WHEREAS, The General Assembly of the State of Missouri did, in secret session, contrary to the known wishes of their constituents, in violation of the Constitution, and the dearest rights and interests of the people, and for the purpose of dissolving the political relations of this State to the Government of the United States, and subverting the institutions of this State, enact certain odious laws hereinafter enumerated; Therefore,

First. Be it ordained by the People of Missouri in Convention assembled, That an act entitled "An act to provide for the organization, government and support of the military forces of the State of Missouri," approved May 14th, 1861; Also, an act to create a military fund for the State, entitled "An act to raise money to arm the State, repel invasion, and protect the lives and property of the people of Missouri," approved May 11th, 1861; Also, an act entitled "An act to authorize the appointment of one Major-General for the Missouri Militia," approved May 15th, 1861; Also, a "Joint resolution to suspend the apportionment of the State School money for the year 1861," approved May 11, 1861; Also, an act entitled "An act to perpetuate friendly relations with the Indian tribes," approved May 11th, 1861; be and the same are hereby repealed and declared of no effect or validity whatever.

Second. That all commissions issued or appointments made under the authority of the above recited acts, or any of them, be and the same are hereby annulled; and all soldiers and other persons serving or employed under any of said acts are hereby disbanded and discharged from such service or employment.

Third. And be it further ordained, That for the purpose of providing for the organization of the militia of the State, the following act, to wit: an act entitled "An act to govern and regulate the volunteer militia of the State," approved December 31st, 1859, be and the same is hereby revived and declared to be in full force and effect.

Adopted July 30, 1861.

AN ORDINANCE FOR SUBMITTING THE ACTION OF THIS CONVENTION TO A VOTE OF THE PEOPLE OF MISSOURI.

Be it ordained, That at the election provided to be held on the first Monday of November, eighteen hundred and sixty-one, for the election of Governor, Lieutenant Governor, Secretary of State, and members of the General Assembly, the several clerks of the county courts, or, in case said clerks shall fail, then the clerks of the election, in making the poll-books for the election, shall provide two columns, one headed "For the action of the Convention," and the other "Against the action of the Convention"; and if a majority of the legal votes given upon the action of the Convention be for the same, then the officers elected shall hold their offices as provided by the ordinance for their election; but if a majority of the votes cast as aforesaid be against the action of the Convention, then said election shall be null and void, and the persons so chosen shall not enter upon the discharge of the duties of their offices, the officers chosen by this Convention shall go out of office, and the ordinance of this Convention providing for the abrogation of certain acts of the Legislature shall there-

after be of no force or effect whatever. The returns of the votes so cast on the action of the Convention shall be made to the office of Secretary of State in the same manner as is provided by ordinance of this Convention in regard to the offices of Governor, Lieutenant Governor, and Secretary of State, and the votes shall be cast up by the same officer; and when the result thereof shall be ascertained, the Governor appointed by this Convention shall, by public proclamation, announce the same, which proclamation shall be filed in the office of Secretary of State.

Adopted July 30, 1861.

AN ORDINANCE PROVIDING FOR CHANGING THE TIME OF HOLDING CERTAIN ELECTIONS.

WHEREAS, this Convention did, during its sessions at Jefferson City, on the 30th day of July, A. D. 1861, adopt "An ordinance providing for the election of certain State officers," and also "An ordinance providing for submitting its action to the people of the State of Missouri, and appointing a time therefor";

AND WHEREAS, it is manifest that, by reason of the disturbed condition of the State, it will be impossible, at the time so appointed, to elicit a fair expression of the popular will: Therefore,

Be it ordained by the People of the State of Missouri in Convention assembled, as follows, to wit:

First. That so much of an ordinance entitled "An ordinance providing for certain amendments to the Constitution, (adopted on the 30th day of July, A. D. 1861,) as provides for the election of a Governor, Lieutenant Governor, Secretary of State, and members of the General Assembly, on the first Monday of November, A. D. 1861," and so much of an ordinance entitled "An ordinance for submitting the action of this Convention to a vote of the people of Missouri" (adopted on the same day) as provides for submitting the action of this Convention to a vote of the people on the first Monday of November, A. D. 1861, be and the same are hereby so modified, that said elections shall not be held on the day therein named, but instead thereof shall be held on the first Monday of August, A. D. 1862.

Second. Said elections, and all other elections held previous thereto, shall in all other respects be held, and the returns thereof made, as provided in the ordinances heretofore adopted by this Convention.

Third. The Governor, Lieutenant Governor, and Secretary of State, heretofore appointed by this Convention, shall discharge the duties and exercise the powers which pertain to their respective offices, and continue in office until the first Monday of August, A. D. 1862, and until their successors are duly elected and qualified, or until the qualified voters of the State shall disapprove the action of this Convention.

Adopted October 12, 1861.

AN ORDINANCE PROVIDING FOR ABOLISHING CERTAIN OFFICES, REDUCING SALARIES, AND TESTING THE LOYALTY OF CIVIL OFFICERS, AND OFFERING AMNESTY TO CERTAIN PERSONS ON CERTAIN CONDITIONS.

Be it ordained by the People of the State of Missouri in Convention assembled, as follows:

First. That the Board of Public Works be and is hereby abolished, and the offices and pay of the members of said Board shall cease and determine from and after the passage of this ordinance.

Second. That the office of State Superintendent of Common Schools be and is hereby abolished, and the pay of said officer shall cease and determine from and after the passage of this ordinance, and the duties pertaining to said office shall be discharged by the Secretary of State.

Third. The offices of County School Commissioner be and is hereby abolished in all the counties of this State, St. Louis county excepted, and the pay of said officers shall cease and determine from and after the passage of this ordinance; and the Clerks of the respective County Courts shall discharge all the duties of Common School

Commissioner in their respective counties, except visiting and lecturing in the schools, and that the fees of said Clerks respectively, for services herein contemplated, shall in no case exceed the sum of fifty dollars per annum.

Fourth. That the offices of State Geologist and Assistant State Geologist be and are hereby abolished, and the pay of said officers shall cease and determine from and after the passage of this ordinance.

Fifth. That the salaries of all civil officers in this State, so far as the same are paid out of the State Treasury, or made a burden on the County Treasuries by State legislation, be and are hereby reduced twenty per cent. during the year ending 30th September, 1862; and said per centage shall be deducted from the amount of said salaries, and withheld from said officers from and after the passage of this ordinance, until the said thirtieth day of September, A. D. 1862.

Sixth. That each civil officer in this State shall, within sixty days after the passage of this ordinance, take and subscribe an oath to support the Constitution of the United States and this State; that he will not take up arms against the Government of the United States nor the Provisional Government of this State, nor give aid or comfort to the enemies of either during the present civil war; that said oath, duly subscribed and sworn to, shall, within the sixty days aforesaid, be filed by county officers in the Clerk's office of their respective counties; and all other officers shall, within the time aforesaid, file said oath, sworn to and subscribed as aforesaid, in the office of the Secretary of State. And the offices of all persons failing to file said oath, as herein provided, are hereby declared vacant; and the Secretary of State and respective County Clerks shall, immediately after the expiration of the sixty days aforesaid, certify, under the seal of their respective offices, any vacancy that may exist under the operations of this ordinance, to the proper authorities under existing laws, and such authorities shall fill said offices by appointment for the residue of the term. And any civil officer who shall falsely take said oath, or wilfully violate the same, shall be deemed and adjudged guilty of perjury, and punished accordingly.

Seventh. The respective County Court Clerks in this State shall take and subscribe the oath provided in this ordinance, and file the same in the office of the Secretary of State within the sixty days aforesaid; and if any County Court Clerk shall fail to file said oath, duly subscribed and sworn to as aforesaid, his office is hereby declared vacant, and such vacancy shall be filled by the authorities under existing laws; and in such case, the other county officers of such county shall comply with the requirements of this ordinance within twenty days after said vacancy shall be filled under the provisions of this ordinance.

Eighth. Any person whatsoever who may take and subscribe the oath provided by this ordinance, and file the same in the office of the Secretary of State, or any County Clerk's office in this State, within ten days after receiving notice of the passage of this ordinance, being within sixty days of the passage thereof, shall be exempt from arrest or punishment for offences previously committed by taking up arms against the Provisional Government of this State, or giving aid or comfort to its enemies in the present civil war, subject to the penalties of perjury as provided in this ordinance; and it shall be the duty of the Secretary of State and respective County Clerks to make out and deliver to persons filing such oath a certificate of the fact under their respective seals of office, which certificate shall be *prima facie* evidence in all courts, and to all persons, that the person named therein has complied with and claims the benefit of this ordinance. And the Governor of this State is hereby directed to furnish a copy of this ordinance to the President of the United States immediately, and request him, in the name of the people of Missouri, by proclamation, to exempt all persons taking said oath under this ordinance from all penalties they may have incurred by taking up arms against the United States, or giving aid or comfort to its enemies in the present civil war.

Adopted October 16, 1861.

AN ORDINANCE RESPECTING CERTAIN RECORDS AND OTHER PROPERTY OF THE STATE.

Be it ordained by the People of the State of Missouri in Convention assembled:

That it shall be the duty of the Board of Public Works, of the Commissioner of Common Schools, and of the Geologist and Assistant Geologist of the State, to transfer and deliver the records, papers, and other property of their respective offices, to the Secretary of State, who shall preserve an inventory thereof in his office, and grant proper receipts therefor. The County School Commissioners shall in like manner deliver the records, papers, and other property of their respective offices, to the clerks of their respective counties, who shall in like manner issue to them receipts for the same.

Adopted October 16, 1861.

AN ORDINANCE TO PROVIDE FOR THE ORGANIZATION AND GOVERNMENT OF THE MISSOURI STATE MILITIA.

Be it ordained by the People of the State of Missouri in Convention assembled, as follows, to wit:

First. All able-bodied free white male inhabitants of this State, between the ages of eighteen and forty-five years, shall be liable to military duty under this ordinance, and when enrolled shall constitute and be known and designated as the "Missouri State militia."

Second. When the Missouri State militia shall be called into the actual service of the State, the officers and men shall be subject to the same rules and regulations, and articles of war, that govern the armies of the United States.

ORGANIZATION.

Third. The commander-in-chief shall have power to call troops into actual service by volunteer enlistments, according to such regulations as he may prescribe.

Fourth. Troops shall be mustered into service by the Inspector General or his assistants, in such manner as may be prescribed by the commander-in-chief, and on entering the service all officers and men shall take the following oath, to be administered by the inspecting officer:

"You, each and every one of you, do solemnly swear that you will honestly and faithfully serve the State of Missouri against all her enemies, and that you will do your utmost to sustain the Constitution and Laws of the United States, and of this State, against all violence of whatsoever kind or description; and you do further swear that you will well and truly execute and obey the lawful orders of all officers properly placed over you, whilst on duty, so help you God."

Fifth. The State militia of Missouri shall be organized by companies into battalions, regiments, and brigades, in the manner prescribed in the rules and regulations for the government of the United States army, and when in actual service of the State shall receive the same pay and emoluments as the United States army; and any company, battalion, or regiment, mustered into the service of the State, may at their option, at any time, be mustered into the service of the United States.

Sixth. Companies of infantry shall not contain less than sixty-four (64) men, (including non-commissioned officers,) nor more than one hundred.

Companies of cavalry shall contain not less than fifty men (including non-commissioned officers), nor more than eighty.

Companies of artillery shall not contain less than fifty, nor more than one hundred men.

Seventh. The commissioned officers of a company of infantry, cavalry or artillery, shall be one captain, one first and one second lieutenant, who shall be elected by the members of the company after being mustered into service; and any vacancy in such offices shall be filled by election in like manner.

Eighth. Captains of companies shall appoint the non-commissioned officers of their own companies.

REGIMENTS.

Ninth. A regiment shall consist of not less than eight, nor more than ten companies; the field officers of which shall con-

sist of one colonel, one lieutenant-colonel and one major.

BRIGADES.

Tenth. A brigade shall consist of not less than two nor more than five regiments, to be commanded by a brigadier general.

STAFF.

Eleventh. The Governor shall nominate, and by and with the advice of the Senate appoint, the following chiefs of staff department: One adjutant general, one inspector general, one quartermaster general, one commissary general, one surgeon general, one paymaster general—all with the rank of colonel of cavalry—each of whom shall perform the duties of his office in accordance with the rules and regulations of the United States army, or such other rules and regulations as may be prescribed by the commander-in-chief.

Twelfth. The quartermaster general and the commissary general shall, on receiving their appointments, execute and deliver to the State their bonds, each in the sum of twenty thousand dollars, ($20,000,) with sureties, to be approved by the Governor, for the faithful performance of their duties, and the Governor shall require of all disbursing officers a bond in such amounts and with such securities as he may deem necessary for the faithful discharge of their duties.

Thirteenth. The commander-in-chief may also appoint and commission such number of aids-de-camp as may be necessary for the requirements of the service, with the rank of colonel.

Fourteenth. The commander-in-chief shall also, without the concurrence of the Senate, appoint and commission such other staff officers as may be necessary for the requirements of the service, and shall designate their rank in their respective commissions; and such officers shall perform such duties as are prescribed by the rules and regulations of the army of the United States, or such as may be prescribed by the commander-in-chief.

OFFICERS.

Fifteenth. The Governor shall nominate, and by and with the advice and consent of the Senate appoint, one major general, and the necessary number of brigadier generals, colonels, lieutenant-colonels, and majors of the line.

Sixteenth. Whenever, during the recess of the Senate, it shall be necessary to appoint to any military office of the line above the rank of captain, the Governor may appoint to such office, subject to the confirmation of the Senate at their next session thereafter.

Seventeenth. The major general commanding may nominate to the Governor for commission one assistant adjutant general, two aids-de-camp with the rank of lieutenant colonel; and the commander-in-chief may detail for duty on the staff of the major general commanding such other staff officers as the necessities of the service may require.

Eighteenth. Brigadier generals, when in actual command, may nominate to the Governor for commission, one acting assistant adjutant general, one aid-de-camp with the rank of major; and the commander-in-chief may detail such other staff officers for duty with the brigade as the necessities of the service may require.

Nineteenth. Colonels of regiments, when in actual command, shall nominate to the Governor for commission, one adjutant with the rank of captain; and the commander-in-chief may detail such other staff officers for regimental duty as the service requires. The colonel of each regiment shall select from his command well instructed and good soldiers to fill the posts of sergeant major, quartermaster sergeant, commissary sergeant and color sergeants, who will constitute the non-commissioned staff of the regiment, and be appointed by warrant given under the hand of the colonel.

Twentieth. Persons holding civil offices under this State, or civil military offices under the United States, may hold offices under this ordinance; and no civil office under this State shall be vacated by the acceptance of a military office under the United States.

UNIFORM.

Twenty-first. The commander-in-chief

shall prescribe the uniform to be worn by the Missouri militia.

Twenty-second. All officers, when on duty, shall wear the uniform of their rank.

COURTS MARTIAL.

Twenty-third. Courts martial shall be constituted, and shall proceed in all cases in the same manner, as is provided by law or regulation for the army of the United States.

Twenty-fourth. All contractors for supplies for the State militia shall be subject to trial by court martial for any fraud practised in respect to such supplies, and shall, on conviction thereof, be punished with death or other punishment, at discretion of the court.

Twenty-fifth. Any officer of the State militia who shall be convicted by a court-martial of wilfully defrauding the State in any matter of which he has official charge, or of conniving at any fraud practised upon the State by others, shall suffer death or such other punishment as the court may inflict.

Twenty-sixth. The commander-in-chief shall have power to prescribe such rules and regulations for the government of the Missouri State militia as he may deem necessary.

Twenty-seventh. He may vacate the commission of any officer whom he may judge unfit for the service, and he shall have power to appoint military boards to report upon the qualifications of any officer commissioned or to be commissioned.

Twenty-eighth. The articles of war shall be published with this ordinance, with the verbal changes necessary to conform them to forces organized and serving under the authority of the State.

Twenty-ninth. Headquarters of the Missouri State militia shall be in St. Louis until removed by the commander-in-chief.

Thirtieth. No period of residence is required to admit persons to service in the Missouri State militia.

Thirty-first. All bodies of troops heretofore organized and mustered into the service of the State under the provisions of an ordinance entitled "An ordinance concerning the repeal and abrogation of certain laws, and for other purposes," heretofore adopted by this Convention, shall be continued in the service as (if) organized under this act. *Provided, however,* that the Governor may remove any officer now acting in the militia, in accordance with the provisions of the twenty-seventh section of this act; and may, at any time, vacate the commissions of such officers as are not authorized by this ordinance: *And provided also,* that all commissions now issued to third lieutenants of companies under the said recited act, are hereby vacated; and it shall be the duty of the commander-in-chief to authorize some member of the staff department, or some other agent whom he may appoint for that purpose, to proceed to such place in the State as may be necessary, and examine into the expenses incurred in the preliminary assembling and organization of companies, the procurement of arms, the furnishing of supplies, and other necessary expenses incurred in and about the organization of troops under the Governor's proclamation of the 24th of August last, and said agent or officer shall adjust such claims as may be prescribed to him, allowing such as may be deemed just, and rejecting those found to be unjust. He shall report his proceeding to the Governor, who, if he approve the same, shall so certify to the proper officer, who shall cause the claims or accounts so allowed to be paid; but such preliminary examination shall be unnecessary in any case where the Governor shall have such personal knowledge in regard to any such claims as to justify him in certifying it to the proper officer as hereinbefore provided.

Thirty-second. So much of the "Act to govern and regulate the volunteer militia of the State," approved, as aforesaid, by this Convention, as conflicts with the provisions of this ordinance is hereby repealed; but all legal acts done, and proceedings properly had for the organization and support of the militia under and by virtue of said act, shall be valid and binding as if authorized by this ordinance.

Thirty-third. This ordinance may be altered, modified or repealed by the General

Assembly of this State, in the same manner and with like effect as the ordinary legislation of the State may be altered, amended or repealed.

Adopted October 17, 1861.

AN ORDINANCE TO PROVIDE FOR THE DEFENCE OF THE STATE.

Be it ordained by the People of the State of Missouri, by their Delegates in Convention assembled, as follows:

That in order to facilitate the prompt and regular acknowledgment of such indebtedness as may accrue under the provisions of the ordinance "to provide for the organization and government of the Missouri State Militia," in cases where no money may be at the time available for the payment thereof, the Auditor of Public Accounts shall cause to be prepared warrants in the form hereafter prescribed, with such devices as he may think proper—such warrants to be of the denominations of five, ten, twenty, fifty, one hundred, and one thousand dollars, making the amount in dollars of each denomination equal, and the whole amount to be outstanding at any time not to exceed one million dollars, which warrants shall be signed by the Auditor, and countersigned by the Secretary of State, and shall be registered in the office of the Auditor and Secretary of State, and shall be at all times redeemable at the treasury, out of any money in the treasury not otherwise appropriated.

The following shall be the form of said warrants before being filled up:

"The State of Missouri promises to pay to ———, or to his assignee, —— dollars, and this warrant shall be receivable in taxes due the State, and the bank stock owned by the State is pledged for its redemption, if it shall not be otherwise redeemed or paid in for taxes before the thirty-first day of December, 1862.

————, *Auditor.*

(Countersigned,)

————, *Secretary of State.*"

The warrants shall be delivered to such persons as the State may be indebted, whether for services, subsistence, forage, clothing, transportation, or other necessaries furnished according to law to the troops in the service of the State, and shall pass by special assignment alone; and in order that such acknowledgments may be made, the Auditor shall issue to any disbursing officer of the State Militia, upon the order of the Governor, such amounts as may be required for the public service, the warrants so issued having the blank for the name of the payee unfilled, and to be filled by the disbursing officer with the name of the person to whom the State is indebted, and to whom the warrant shall be issued. The officer receiving such warrants from the Auditor shall give his duplicate receipts therefor, one of which shall be filed in the office of the Auditor, and the other in the office of the Secretary of State; and each disbursing officer shall be charged by the Auditor with the amount of warrants so issued to him, and shall settle with the Auditor therefor, by producing legal and valid vouchers for the amount paid out by him, and return the residue to the Auditor; such settlement to be made at the end of each quarter of a year from the first day of January, in the year eighteen hundred and sixty-two. The disbursing officer so delivering a warrant to a creditor of the State, shall endorse on the warrant so delivered the statement that he issued it, thus: "This warrant issued by me;" and shall subscribe thereto his name with his style of office, and said warrant shall be taken up or redeemed by the proper disbursing officer with money, whenever he may be furnished with it for that purpose.

The Treasurer shall receive from each collector of taxes, upon settlement, such warrants as may have been paid in to him for taxes, and shall give him credit therefor as cash; and any sheriff, or other collector of taxes, who shall, directly or indirectly, be concerned in the purchase of such warrants at a discount upon their nominal amount, shall be guilty of a misdemeanor; and, upon conviction thereof, shall be fined double the amount of the warrant so purchased.

At the end of each fiscal year, the Secretary of State, Auditor, and Treasurer, shall

together compare the warrants that may have been paid into the treasury for taxes with the register, in the offices of the Secretary and Auditor, and if it be found that such warrants are genuine and correspond with the register, and that there is no reason to believe that fraud has been practised upon the State in relation to such warrants, they shall destroy those thus redeemed; but if they find that any fraud has been practised, they shall preserve the warrants which may have been fradulently issued, altered, counterfeited, or used, to be evidence in any judicial proceeding.

Be it further ordained, That for the purpose of arming and supporting the militia of the State, and with a view to protect the lives and property of its citizens, the Governor of the State is hereby authorized and empowered to issue bonds of the State to the amount of one million of dollars, which said bonds shall be dated on the day of their issue, and made payable ten years after the date thereof, bearing interest at the rate of seven per cent. per annum, and with interest coupons attached; the interest to be paid semi-annually, at the Bank of Commerce, in the city of New York, or at such other point as the Governor may deem expedient.

Said bonds shall be issued under the seal of the State, in sums of not less than two hundred nor more than five thousand dollars; shall be signed by the Governor, and countersigned by the Secretary of State. The interest coupons shall be signed by the Governor, and attested by the Auditor of Public Accounts, and shall be made payable on the first day of January and the first day of July of each year. The bonds aforesaid shall be made payable to the Auditor of Public Accounts, and by him numbered and registered in his office.

The Auditor shall endorse said bonds, and deliver the same to the Governor, who is hereby authorized and empowered to negotiate the same upon such terms as he may deem best for the interests of the people of the State. He may hypothecate them, or any amount of them, to individuals, or to the Government of the United States, for moneys advanced; and if the same can not be sold nor hypothecated upon terms satisfactory to the Governor, he shall solicit the endorsement of said bonds by the proper authorities of the Federal Government previous to their negotiation.

All bonds issued under the provisions of this ordinance shall be denominated UNION DEFENCE BONDS OF MISSOURI; the faith and credit of the State are hereby pledged to the payment of the principal and interest thereof, and, for the purpose of securing the prompt payment of the interest thereon, it is hereby ordained that the Treasurer of the State shall annually set aside the sum of seventy thousand dollars out of any money coming into the treasury on account of the revenues of the State.

In order to secure the ultimate redemption of the aforesaid bonds, it is hereby ordained and declared that the Clerks of the County Courts of the several counties of the State, or the clerks of the tribunals then entrusted with similar duties under the laws of the State at the time, when they prepare a copy of the tax books for the years 1870 and 1871, for the use of the collectors of their respective counties, levy, in addition to the tax which shall or may then be levied by the laws of the State, fifteen cents on the hundred dollars of taxable property, for each of the years aforesaid, in their respective counties, which said tax shall be kept separate by the collectors and the Auditor and Treasurer of the State, under the title or head of "Union Defence Fund." During the years 1870 and 1871, there shall be levied and collected upon all licenses granted a tax of twenty-five per cent. in addition to the amounts prescribed to be collected thereon by the legislation of the State at that time, which said license tax shall in like manner be paid into the treasury to the credit of said fund. And upon the maturity of the bonds hereinbefore provided for, the Governor and Treasurer of the State shall cause the same to be redeemed out of the fund herein created.

The said tax shall be collected in the same manner as may at the time be provided for the collection of the revenue of the State; and the several officers charged with duties in respect to the collection of

the general revenue shall have the same powers and privileges in respect to said special tax, and shall be liable to the same penalties and forfeitures for failure to perform their respective duties.

Adopted October 18, 1861.

AN ORDINANCE TO AMEND "AN ORDINANCE PROVIDING FOR ABOLISHING CERTAIN OFFICES, REDUCING SALARIES, AND TESTING THE LOYALTY OF CIVIL OFFICERS IN THIS STATE."

Be it ordained by the People of the State of Missouri in Convention assembled:

SECTION 1. That the seventh section of an ordinance entitled "An Ordinance providing for abolishing certain offices, reducing salaries, and testing the loyalty of civil officers in this State," adopted by this Convention at its session in St. Louis, in October, 1861, be and the same is hereby repealed.

SEC. 2. That all appointments to fill vacancies created by the provisions of the sixth section of said ordinance, are hereby declared valid from the time said appointments were made, anything in said seventh section to the contrary notwithstanding.

Passed in Convention the 7th day of June, 1862. AIKMAN WELCH,
Vice President.

Attest: SAMUEL A. LOWE,
Secretary of Convention.

AN ORDINANCE REPEALING CERTAIN ORDINANCES SUBMITTING THE ACTION OF THE CONVENTION TO A VOTE OF THE PEOPLE OF MISSOURI, AND FOR OTHER PURPOSES.

Be it ordained by the People of the State of Missouri in Convention assembled as follows:

SECTION 1. That all ordinances and parts of ordinances heretofore passed by this Convention, submitting its action to a vote of the people of the State, be and the same are hereby repealed.

Passed in Convention the 7th day of June, 1862. AIKMAN WELCH,
Vice President of Convention.

Attest: SAMUEL A. LOWE,
Secretary of the Convention.

AN ORDINANCE PROVIDING FOR LAYING OFF THE STATE INTO CONGRESSIONAL DISTRICTS.

Be it ordained by the People of the State of Missouri in Convention assembled:

SECTION 1. The State of Missouri is hereby divided into nine Congressional Districts, the qualified voters of each District to elect one member to the Congress of the United States.

SEC. 2. The *First District* shall be composed of the fourth, fifth, sixth, seventh, eighth, ninth and tenth wards of the city of St. Louis, as now established, all that part of St. Louis township north of the Manchester road, and St. Ferdinand township and Central township, of the county of St. Louis.

The *Second District* shall be composed of the first, second and third wards of the city of St. Louis, as now established, all that part of St. Louis township south of the Manchester road, and Carondelet township, Bonhomme township and Meramec township of the county of St. Louis; also, the counties of Jefferson, Franklin, Gasconade, Osage, Maries, Crawford, Phelps, and Pulaski.

The *Third District* shall be composed of the counties of Dunklin, Pemiscot, New Madrid, Mississippi, Stoddard, Butler, Ripley, Scott, Wayne, Reynolds, Shannon, Cape Girardeau, Bolinger, Madison, Iron, Dent, Perry, Ste. Genevieve, St. François, Washington, Carter, and Oregon.

The *Fourth District* shall be composed of the counties of Barton, Jasper, Newton, McDonald, Barry, Lawrence, Dade, Cedar, Polk, Green, Christian, Stone, Taney, Webster, Dallas, Laclede, Wright, Douglass, Ozark, Texas, and Howell.

The *Fifth District* shall be composed of the counties of Cass, Bates, Vernon, Johnson, Henry, St. Clair, Hickory, Benton, Pettis, Cooper, Moniteau, Cole, Morgan, Miller, and Camden.

The *Sixth District* shall be composed of the counties of Clinton, Clay, Platte, Jackson, Caldwell, Ray, Lafayette, Carroll, Saline, and Chariton.

The *Seventh District* shall be composed of the counties of Atchison, Holt, Noda-

way, Andrew, Buchanan, DeKalb, Gentry, Daviess, Harrison, Livingston, Grundy, Mercer, Sullivan, Putnam, and Worth.

The *Eighth District* shall be composed of the counties of Linn, Schuyler, Scotland, Clark, Adair, Knox, Lewis, Marion, Shelby, Macon, Randolph, and Howard.

The *Ninth District* shall be composed of the counties of Monroe, Ralls, Audrain, Pike, Lincoln, Montgomery, Callaway, Boone, Warren, and St. Charles.

Adopted June 7th, 1862.

AIKMAN WELCH,
Vice President.

SAMUEL A. LOWE,
Secretary of Convention.

AN ORDINANCE DEFINING THE QUALIFICATIONS OF VOTERS AND CIVIL OFFICERS IN THIS STATE.

Be it ordained by the People of the State of Missouri in Convention assembled as follows:

SECTION 1. No person shall vote at any election to be hereafter held in this State, under or in pursuance of the Constitution and laws thereof, whether State, county, township, or municipal, who shall not, in addition to possessing the qualifications already prescribed for electors, previously take an oath in form as follows, namely: "I, ———, do solemnly swear (or affirm, as the case may be) that I will support, protect and defend the Constitution of the United States, and the Constitution of the State of Missouri, against all enemies and opposers, whether domestic or foreign; that I will bear true faith, loyalty and allegiance to the United States, and will not, directly or indirectly, give aid and comfort, or countenance, to the enemies or opposers thereof, or of the Provisional Government of the State of Missouri, any ordinance, law or resolution of any State Convention or Legislature, or of any order or organization, secret or otherwise, to the contrary notwithstanding; and that I do this with a full and honest determination, pledge and purpose, faithfully to keep and perform the same, without any mental reservation or evasion whatever. And I do further solemnly swear (or affirm) that I have not, since the 17th day of December, A. D. 1861, wilfully taken up arms, or levied war, against the United States, or against the Provisional Government of the State of Missouri: So help me God."

SEC. 2. Before any person shall be elected or appointed to any civil office within this State, under the Constitution and the laws thereof, whether State, county, township, municipal, or other civil office, he shall take and subscribe an oath in form as follows: "I, A. B., do, on oath, (or affirmation) declare that I have not, during the present rebellion, wilfully taken up arms, or levied war, against the United States, nor against the Provisional Government of the State of Missouri, nor have wilfully adhered to the enemies of either, whether domestic or foreign, by giving them aid and comfort, but have always, in good faith, opposed the same. And further, that I will support, protect and defend the Constitution of the United States and of the State of Missouri, against all enemies and opposers, whether domestic or foreign, any ordinance, law or resolution, of any State Convention or Legislature, or of any order or organization, secret or otherwise, to the contrary notwithstanding, and that I do this with an honest purpose, pledge and determination faithfully to perform the same, without any mental reservation or evasion whatever;" which oath shall be filed in the office of the Secretary of State by all candidates for State offices, and by candidates for all county and other offices, in the office of the clerk of the County Court, (or other officer charged with equivalent duties,) in the counties wherein they respectively reside, at least five days before the day of election; and no vote shall be cast up for, or certificate of election granted to, any candidate who fails to file such oath, as required by this ordinance.

SEC. 3. Any person who shall falsely take, or, having taken, shall thereupon wilfully violate any oath prescribed by this ordinance, shall, upon conviction thereof, by any court of competent jurisdiction, be adjudged guilty of the crime of perjury, and shall be punished therefor in accordance with existing laws. And it shall be

the duty of the Judges of all Courts having criminal jurisdiction under the laws of this State, specially to charge the Grand Juries in the counties in which such courts shall be held respectively, and of all Grand Juries in the performance of their duties under the laws of this State, specially to inquire concerning the commission of any act of perjury mentioned or made punishable by this or any other ordinance adopted by this Convention.

SEC. 4. The courts of this State shall require all jurymen and attorneys to take and subscribe the following oath: "I, ——, do solemnly swear, (or affirm, as the case may be,) that I will support, protect and defend the Constitution of the United States, and the Constitution of the State of Missouri, against all enemies and opposers, whether domestic or foreign; that I will bear true faith, loyalty, and allegiance to the United States, and will not, directly or indirectly, adhere to the enemies or opposers thereof, or of the Provisional Government of the State of Missouri, by giving them aid and comfort, any ordinance, law, or resolution of any State Convention or Legislature, or of any order or organization, secret or otherwise, to the contrary notwithstanding; and that I do this with a full and honest determination, pledge and purpose to keep and perform the same, without any mental reservation or evasion whatever: So help me God." The same oath shall also be taken and subscribed by the President, Professors and Curators of the University of the State of Missouri, by all Bank officers, Common School teachers who are paid in whole or in part out of funds provided by law, and Common School Trustees, by all officers of all incorporated companies of this State, and by all licensed or ordained preachers of the Gospel before performing the ceremony of marriage in this State, and filed in any County Clerk's office in this State; and every licensed or ordained preacher of the Gospel who shall perform the ceremony of marriage in this State before taking said oath, and every other person aforesaid assuming to discharge the duties pertaining to his avocation under the laws of this State, without complying with the provisions of this section, shall be liable to prosecution in any court of competent jurisdiction in this State, by indictment, and upon conviction shall be punished for each offence by a fine not less than ten nor more than two hundred dollars. This section shall take effect ninety days from the passage of this ordinance.

SEC. 5. That judges and clerks of all elections held under the laws of this State, shall, in addition to taking the oath required by existing laws, take the further oath that they will not record, nor permit to be recorded, the name of any voter who has not first taken the oath required to be taken by the first section of this ordinance.

SEC. 6. The General Assembly of this State may at any time repeal this ordinance or any part thereof.

Adopted June 10th, A. D. 1862.

AIKMAN WELCH,
Vice President of Convention.

SAMUEL A. LOWE,
Secretary of Convention.

AN ORDINANCE FOR THE APPOINTMENT OF ARTILLERY OFFICERS—FOR THE GREATER EFFICIENCY OF THE IMPORTANT ARM OF THE MILITARY SERVICE, THE ARTILLERY.

Be it ordained by the People of the State of Missouri in Convention assembled as follows:

SECTION 1. That the Governor is hereby authorized to appoint and commission all officers of artillery companies in the Missouri State Militia.

SEC. 2. This ordinance may be repealed at any time by the General Assembly of this State.

Passed in Convention this 10th day of June, 1862. AIKMAN WELCH,
Vice President.

Attest: SAMUEL A. LOWE,
Secretary of the Convention.

AN ORDINANCE CONTINUING THE PRESENT PROVISIONAL GOVERNMENT IN OFFICE.

Be it ordained by the People of the State of Missouri in Convention assembled:

SECTION 1. That the Governor, Lieutenant Governor, and Secretary of State, heretofore appointed by this Convention, shall

continue in office until the first Monday in August, A. D. 1864; and until their successors are duly elected and qualified, and shall discharge the duties and exercise the privileges which pertain to their respective offices.

Passed in Convention, June 11th, A. D. 1862.

AIKMAN WELCH,
Vice President of Convention.

SAMUEL A. LOWE,
Secretary of Convention.

AN ORDINANCE TO ENABLE CITIZENS OF THIS STATE, IN THE MILITARY SERVICE OF THE UNITED STATES OR THE STATE OF MISSOURI, TO VOTE.

Be it ordained by the People of the State of Missouri in Convention assembled as follows, to-wit:

SECTION 1. That the commanding officer of any company of Missouri Volunteers, or Militia, in the service of the United States or of the State of Missouri, any of the members of which are qualified voters under the laws of this State, shall, on the day of the next general election, and at every subsequent election held under the laws of this State during the present war, cause an election to be held by the members of such company for officers to be elected at such election.

SEC. 2. The commanders of such companies shall cause a sufficient number of poll books to be made out for each company, properly laid off into blanks, with the necessary heading and certificates attached, and cause them to be delivered to the judges of election on or before the day of such election.

SEC. 3. Three good, discreet and disinterested persons, members of such company, being qualified voters under the laws of this State, shall be appointed judges of such elections by such commanding officers, who shall administer the following oath to such judges before they enter on their duties: "I do solemnly swear (or affirm) that I will impartially discharge the duties of judge of the present election, according to law and the best of my abilities. So help me God."

SEC. 4. Said judges shall appoint two clerks, who, before entering on the duties of their appointment, shall take an oath or affirmation, to be administered by one of the persons so appointed as judges of the election, that they will faithfully record the names of all the voters, and distinctly carry out, in lines and columns, the name of the person for whom each voter votes.

SEC. 5. At the close of each election the judges shall certify, under their hands, the number of votes given for each candidate, which shall be attested by their clerks, and transmit the same, together with one of the poll books, by one of their clerks, or by mail, to the Clerk of the County Court in which the voters are entitled to vote, without delay.

SEC. 6. Poll books shall be opened for each county from which there are members in such company entitled to vote, and at such election only such persons shall be allowed to vote as could vote under existing laws if in their proper precincts, which vote shall be taken and sent to the proper county, as provided in this ordinance.

SEC. 7. When more than one company votes at the same post or station, or belonging to the same battalion, regiment, or division of the army, the judges of said elections may cause one messenger to carry the poll books to the different counties.

SEC. 8. Any one of the judges of election, under this ordinance, is authorized to administer oaths to test the qualifications of voters, and to prevent frauds.

SEC. 9. Each Clerk of the County Court shall, in not less than fifteen nor more than twenty days after the election, take to his assistance two Justices of the Peace of his county, or two Justices of the County Court, and examine and cast up the votes given for each candidate, including the votes received by virtue of this ordinance, and give to those having the highest number of votes a certificate of election.

SEC. 10. The votes given at such company elections shall be given *viva voce*, or by tickets handed to the judges, and shall in both cases be cried in an audible voice by one of the judges of the election, or by some person appointed by such judges for that purpose, and noted by the clerks in the presence and hearing of the voters.

SEC. 11. Judges and clerks of said company elections failing or neglecting to discharge any duty required by this ordinance, or the laws now in force, shall be subject to the penalties prescribed by law, and may be prosecuted in the county to which such returns are required to be made.

SEC. 12. Every person, not being a qualified voter according to the Constitution and laws of the State, who shall vote at any election under this ordinance, or any person who shall, at the same election, vote more than once, either at the same or different places of voting, shall, upon conviction, be adjudged guilty of a misdemeanor, and be punished by fine not exceeding fifty dollars, nor less than twenty dollars, or by imprisonment in the county jail not exceeding three months, and shall be liable to indictment and conviction in any county to which such poll books, or any of them, shall be returned.

SEC. 13. All persons voting under this ordinance shall be required to take the oath prescribed by the ordinance of this Convention, testing the loyalty of the voter.

SEC. 14. The election returns of votes cast at the different precincts in the counties shall be made to County Clerks, in all respects according to the statute laws now in force, except as provided in this ordinance; and all acts required to be done under existing laws within a given time after examining and casting up the books, shall be done within the time required by existing laws, after the time fixed for examining and casting up the poll books under the 9th section of this ordinance.

SEC. 15. Any officer, or other person, in the service or employment of the United States or the State of Missouri, being a qualified voter under the Constitution and laws of this State, may vote at any election held under the provisions of this ordinance, subject to the restrictions and limitations provided by this ordinance.

SEC. 16. This ordinance shall be in force from and after its passage, and is subject to repeal at any time by the General Assembly of this State.

Done in Convention, June 12th, A. D. 1862.

AIKMAN WELCH,
Vice President of Convention.

Attest: SAMUEL A. LOWE,
Secretary of Convention.

AN ORDINANCE IN RELATION TO ASSESSORS AND COLLECTORS, AND PROVIDING FOR THE PAYMENT OF CERTAIN ACCOUNTS.

Be it ordained by the People of the State of Missouri in Convention assembled:

SECTION 1. That in all counties in this State where the Assessors thereof shall, from any cause, have failed to assess the taxable property therein for the years 1861 and 1862, or either of them, as required by law, the assessors hereafter appointed shall, in separate books to be prepared as other tax books, proceed to assess all property made taxable by law, and which was owned by the person to be taxed on the first day of February, 1861, and on the first day of February, 1862, and return the same to their respective County Courts in the same manner and at the same time, as now required by law for the tax books for the year 1863, and the Assessors shall be required to make remarks on their returns in all cases which seem to demand relief.

SEC. 2. That the Collectors of the different counties shall, upon receiving such tax book, proceed to collect the same in the same time and manner as required by law for the taxes of the year 1862, and they shall possess the same powers to enforce such collection, and the [same] rights in making out and returning delinquent land lists for the taxes of said year 1861, as they have by law for the taxes of the year 1862, except as hereinafter provided, and the Register of lands shall receive such delinquent land list if returned to his office at the time required for the delinquent land list of 1862; and the Auditor of Public Accounts shall allow to said Collectors the amount of such lists, and settle the same as if they had been filed in proper time. The Collectors shall execute separate receipts for the taxes due for the years 1861 and 1862.

SEC. 3. The Collectors shall return their personal delinquent lists for 1861 to the

County Court at the same time that they return such list for the year 1862, and the County Court shall immediately certify the same to the Auditor of Public Accounts, who shall allow the same to the Collectors in the same manner as if they had been returned in the time required by law.

SEC. 4. That in any case where a person was, on the first day of February, in the year 1861, or the first day of February, in the year 1862, the owner of personal property subject to taxation, and upon which taxes were assessed for said years, or either of them, or which, by the provisions of this ordinance, is liable hereafter to be assessed, and who shall have removed such personal property from the county in which such property was taxable, the Assessor of such county shall, where the same has not already been done, and from the best information he may be able to obtain, assess such personal property, and the State shall have the same lien upon the real estate of such person for the taxes on such personal property as it now has by law for the taxes due upon such real estate itself, and such real estate shall be liable to sale for the taxes on such removed personal property in the same manner as for the taxes due on the real estate itself; and when any real estate shall be sold under the provisions of this ordinance, such lands shall only be redeemed upon full payment of all the taxes for which the same may have been sold: Provided, that this section shall only apply to the taxes for the years 1861 and 1862.

SEC. 5. That the acts of certain Collectors in this State, who have received the tax books for the year 1861 at times not authorized by law, and who have proceeded to the collection of taxes due thereon, are hereby declared to be as valid, to all intents and purposes, as if the same had been done within the time and in the manner prescribed by law, and the said Collectors are hereby authorized to proceed to the collection of said taxes as if they had received and receipted for the tax books at the time and manner required by law: Provided, however, that no Collector shall avail himself of the benefits of this section unless he shall pay into the State Treasury the whole amount of the revenue for said year, except for such as may be returned delinquent on or before the thirty-first day of December, 1862. Said Collectors shall be authorized to return the delinquent land list for said year on or before the thirty-first day of December, 1862, and the Auditor of Public Accounts and Register of Lands shall receive and allow the same as if returned in proper time. The said Collectors are hereby authorized to proceed to the collection of said taxes for said year 1861, or they may pay the amount collected to their successors in office, as now required by law, at the option of such Collector, in which latter event the new Collector shall proceed thereon as provided by law.

SEC. 6. All Collectors are hereby authorized and required to receive in payment of taxes due the State, the Defence Warrants issued under authority of an ordinance of this Convention, passed at its October session for the year 1861, entitled "An ordinance to provide for the defence of the State," first, for all taxes for the years 1861, 1862 and 1863, and for all balances due by Collectors on the taxes of 1860; and second, for all taxes due on delinquent land lists from the year 1844, inclusive, to the present time.

SEC. 7. There shall be paid out of the Defence Warrants authorized by the ordinance of October 18th, 1861, all claims for printing and publishing the ordinances of the Convention in the various newspapers which published said ordinances, and for lithographing, printing and binding all books necessary for the warrants and required by said ordinance, together with all books necessary for their registration in the offices of the Auditor and Secretary of State; and also there shall be allowed and paid to the Secretary of State and Auditor of Public Accounts the sum of one cent for each warrant for signing and numbering the same, as additional compensation for the extra labor imposed on said officers in getting up and preparing said warrants for distribution; *provided*, that the extra compensation hereby allowed the said Auditor and Secretary of State shall not exceed the sum of five hundred dollars

to each; all of said accounts to be examined and approved by the Governor and paid by any officer of the State having charge of the disbursement and payment of said warrants.

SEC. 8. The Register of Lands is hereby required to receive and file in his office all the delinquent land lists for the year 1861, returned by the several Collectors of this State after the time required by law; and also, receive and file in his office the delinquent land lists of 1860, for the county of St. Louis, and certify the same to the Auditor of Public Accounts, as required by law, and the Auditor of Public Accounts is required to credit the same to said Collectors the same as if they had been returned in accordance with the revenue laws now in force.

SEC. 9. Nothing in this ordinance contained shall be construed to authorize the several Collectors in this State to withhold the payment of any money by them already collected, but they are required to pay over the same in the time and manner now prescribed by law.

SEC. 10. The several Collectors in this State are hereby authorized and required to receive in payment of all taxes due to the State or to any county in the State, the Treasury Notes issued by authority of the United States, whenever the same shall be tendered in payment of such taxes.

SEC. 11. The several Collectors in this State who have received and receipted for the tax books of 1861 within the time and within [in] the manner required by law, but who have not completed their collections of the same, shall have the same powers and be entitled to the same benefits and in other respects subject to the provisions ordained in section five of this ordinance.

SEC. 12. Where any Collector may have received and receipted for the tax books for the taxes due for 1861, and shall have collected a portion thereof prior to the time of his failure to take the oath heretofore prescribed by this Convention and his consequent removal from office, such Collectors shall make settlement with the County Court, who shall allow to such Collector on such settlement the amount of the taxes remaining uncollected. The amount of taxes collected shall be paid over to his successor in office, taking duplicate receipts therefor, one of which shall be transmitted to the Auditor of Public Accounts, and the Auditor shall charge such successor with the amount received by him from the former Collector. County Courts are hereby authorized to make such settlement in the same manner as if made at the time at which such settlement is required to be made by existing laws.

SEC. 13. The present Collectors, or the Collectors to be hereafter elected or appointed, shall proceed to the collection of taxes thus remaining uncollected in the manner required by law, and he shall have the same power to enforce such collections as he may have for the taxes of 1863 now provided by law and the terms of this ordinance.

SEC. 14. The Governor is hereby authorized, if in his judgment the additional labor required by this ordinance to be performed by the Register of Lands make it necessary, to appoint an additional Clerk for that office, to continue in office during his pleasure, and to be paid for the time so employed at the rate of six hundred dollars per annum.

SEC. 15. This ordinance shall be in force from and after its passage, and may be repealed at any time by the General Assembly of the State.

Passed in Convention June 13th, A. D. 1862.

AIKMAN WELCH,
Vice President of Convention.

SAM'L A. LOWE,
Secretary of Convention.

AN ORDINANCE APPROPRIATING MONEY.

Be it ordained by the People of the State of Missouri in Convention assembled as follows, to wit:

That the sum of twelve thousand dollars be and is hereby appropriated out of any money in the treasury not otherwise appropriated for the pay and mileage of members and officers of this Convention, and to defray the contingent expenses thereof.

Passed in Convention, June 13th, A. D. 1862.

AIKMAN WELCH,
Vice President of Convention.

SAM'L A. LOWE,
Secretary of Convention.

AN ORDINANCE APPROPRIATING MONEY FOR THE CARE OF THE SICK AND WOUNDED SOLDIERS OF MISSOURI.

Be it ordained by the People of Missouri in Convention assembled as follows:

1. That the sum of fifty thousand dollars, in Defence Warrants, be and the same is hereby appropriated to provide for the care of the sick and wounded soldiers of Missouri, to be expended under the direction of the Governor of the State.

Passed in Convention, June 13, 1862.

AIKMAN WELCH,
Vice President of Convention.

SAM'L A. LOWE,
Secretary of Convention.

AN ORDINANCE RELATING TO COUNTY ASSESSORS AND OTHER OFFICERS.

Be it ordained by the People of the State of Missouri in Convention assembled as follows, to wit:

SECTION 1. All persons holding office in this State, to fill which an election would have been held, under previously existing laws, on the first Monday in August, 1862, except County Assessors, shall continue to hold their offices, and perform the duties, exercise the powers, and be subject to all the responsibilities thereof, until their successors are elected or appointed and qualified: Provided, that the office of County Assessor in each county wherein an election for such office would have been held under previously existing laws, on the first Monday in August next, shall be filled by appointment by the County Court, within such time, and in such manner, after that day, as now prescribed by law in case of failure to elect County Assessors; and in case the County Court shall fail within twenty days to make such appointment, the same shall be made by the Governor. And the Assessors appointed as aforesaid shall continue in office until the general election in the year eighteen hundred and sixty-four, and until their successors shall be elected and qualified.

Passed in Convention the 13th of June, 1862.

AIKMAN WELCH,
Vice President.

Attest: SAM'L A. LOWE,
Secretary of Convention.

AN ORDINANCE IN RELATION TO VOTING IN CERTAIN COUNTIES.

Be it ordained by the People of the State of Missouri in Convention assembled as follows, to wit:

SECTION 1. In any county where there is a County Court, or where such Court fails to appoint judges of election, and in counties where there is no County Clerk, or such Clerk fails to cause poll books to be delivered to the judges of election before the day of the election, any person may prepare the poll books for any or all of the townships in such county, and a majority of the qualified voters present at the time and place of opening the polls, which shall be at the same place, as near as may be, as the elections were authorized to be for members of this Convention, shall choose judges of the election; and in case no officer is present authorized to administer the oath of office to such judges, one of the persons so chosen may administer the oath required by law to such judges, one of whom, after being so sworn, shall administer the oath to the judge by whom he was sworn.

SEC. 2. Such judges of election shall appoint two clerks, and shall have all the powers and perform all the duties of judges of election under existing laws, and shall return the poll books to the county seat in the time and manner required by the next section.

SEC. 3. On the first Saturday after the election, one of the judges of election from each township in such county shall repair to the county seat, and organize a Board composed of such judges, and said Board, when so organized, shall proceed to cast up the votes given in such election, certify

the same, and grant certificates of election, and in all respects shall have the same powers and perform the same duties that the County Clerk, and two Justices of the County Court or Justices of the Peace are required to perform, or that the County Clerk is required to perform, under existing laws governing elections.

SEC. 4. Such election shall be as valid to all intents and purposes as though it had been done by the ordinary officers under existing laws.

SEC. 5. Such judges of election shall retain the poll books of such election until there is a County Clerk qualified to act in such county. Such poll books shall be filed in the County Clerk's office, and the Clerk's receipt taken for the same.

SEC. 6. The Secretary of State shall cause the Ordinances passed at this session of the Convention, in relation to voters and elections, to be published in pamphlet form and distributed without delay to the County Clerks of the different counties, and in counties where there is no Clerk, to members of this Convention, or other citizens, in such numbers as he may deem sufficient.

SEC. 7. If in any county no election shall be held for Sheriff, Coroner, County Court Justices, and other township and county officers, the vacancies so caused—with the exception of members of the General Assembly—shall be filled by the proper authorities, under existing laws; but in all cases of failure by the proper authorities to appoint persons to fill such vacancies within twenty days after the vacancy occurs, then the Governor shall appoint officers to fill such vacancies as have not been filled by the proper authorities; and all officers appointed to fill vacancies as aforesaid, shall hold their said offices for the same time as if they had been elected under existing laws.

SEC. 8. In counties where there are no County Clerks, any candidate may file the oath required by ordinance with the Board of judges herein provided for, and said Board shall cast up and certify the vote given for each candidate that complies with this section the same as if said oath had been filed in the time and manner required by the ordinance heretofore passed; and said affidavits shall be filed together with the poll books in the County Clerk's office.

SEC. 9. Judges and clerks of election, under this ordinance, shall perform all the duties and be subject to all the penalties prescribed by existing laws.

SEC. 10. This ordinance shall be in force from after its passage, and may be repealed at any time by the General Assembly of this State.

Passed in Convention the 13th day of June, 1862. AIKMAN WELCH,
Vice President of Convention.
Attest: SAMUEL A. LOWE,
Secretary of the Convention.

AN ORDINANCE FOR PAYMENT OF DIVISION INSPECTORS, AND FOR OTHER PURPOSES.

Be it ordained by the People of Missouri in Convention assembled as follows, to-wit:

SECTION 1. That the unpaid Division Inspectors of the Missouri State Militia, as appointed by the Provisional Governor, under the act of 1859, which act was revised by the Convention, shall be paid by the Assistant Paymaster of the Missouri State Militia, at the rate of three dollars per day, together with their personal expenses during the time they were actually employed in raising and mustering troops into the service of the State: *Provided,* that such Inspectors were not, at the time of such service, receiving pay otherwise as an officer of the Militia.

SEC. 2. That the Governor may appoint as many Commissioners as he may deem necessary, whose duty it shall be to audit and report for payment to the Governor of the State, such claims for Commissary and Quartermaster stores furnished to the State Militia, after the 31st day of July, 1861, and before disbanding from the "six months' service," and such other claims growing out of the military service of the State as shall be proven to be honest and just. The Quartermaster General, or any Assistant Paymaster of the Missouri State Militia, shall

pay all such claims as may be audited and reported by said Commissioners for payment, and approved by the Governor. And the Commissioners so appointed shall also inquire into and report upon all claims for military service purporting to have been rendered before the claimants were regularly organized into the service of the State, whether for want of an Inspector or otherwise; and such sums as may be found due to such claimants, *according to the very right of the case,* shall be so certified to the Governor, and, if approved by him, shall be paid by the Paymaster or the Assistant Paymaster of the Missouri State Militia.

SEC. 3. That when soldiers have died in the "six months' service" Missouri State Militia having pay or claims due them for such service, the administrator or legal representative of said deceased soldier shall be entitled to collect and receive the amount due such soldier from the officer charged with the payment of such claim; and in cases where the estate is so small as not to authorize an administration under existing laws, then the officer will pay the amount due such soldier to the widow and heirs of such soldier according to the law of distribution.

SEC. 4. This ordinance shall be in force from and after its passage, and may be repealed at any time by the General Assembly of this State.

Passed in Convention, June 13th, A. D. 1862. AIKMAN WELCH,

Vice President of the Convention.

Attest: SAM'L A. LOWE,

Secretary of Convention.

AN ORDINANCE AMENDING THE THIRD ARTICLE OF THE STATE CONSTITUTION.

Be it ordained by the People of the State of Missouri in Convention assembled as follows:

SECTION 1. The eighth section of the third article of the Constitution is hereby abolished and the following adopted in lieu thereof:

After the first day of July, one thousand eight hundred and sixty-two, all general elections shall commence [take place] on the Tuesday next after the first Monday in November, and shall be held biennially; and the electors in all cases, except of [for] treason, felony or breach of the peace, shall be privileged from arrest during their continuance at elections, and in going to and returning from the same.

Passed in Convention, June 13th, A. D. 1862. AIKMAN WELCH,

Vice President of Convention.

SAM'L A. LOWE,

Secretary of Convention.

AN ORDINANCE REQUIRING THE STATE SENATORS TO BE DIVIDED INTO CLASSES BY LOT.

Be it ordained by the People of the State of Missouri in Convention assembled as follows:

SECTION 1. That at the next session of the General Assembly, the Senators shall be divided by lot into classes, as provided in the seventh section of the third article of the Constitution, and every election to fill a vacancy in the Senate shall be for the residue of the term only.

Passed in Convention, June 13th, A. D. 1862. AIKMAN WELCH,

Vice President of Convention.

SAMUEL A. LOWE,

Secretary of Convention.

AN ORDINANCE IN RELATION TO THE DUTIES OF THE REGISTER OF LANDS AND COUNTY ASSESSORS.

Be it ordained by the People of the State of Missouri in Convention assembled as follows, to-wit:

SECTION 1. When application is made at the Register's office to pay taxes on lands returned delinquent, before the same is certified out for sale, the Register shall add to the State tax ten cents on each tract to be paid into the State treasury.

SEC. 2. The Register of lands is authorized by this ordinance to appoint an additional clerk, who shall receive a salary at the rate of eight hundred dollars per annum for the time necessarily employed.

Passed in Convention the 14th day of June, 1862. AIKMAN WELCH,

Vice President.

Attest: SAMUEL A. LOWE,

Secretary of Convention.

RESOLUTIONS IN ANSWER TO JOINT RESOLUTION OF CONGRESS RESPECTING THE GRADUAL ABOLISHMENT OF SLAVERY.

WHEREAS, the Congress of the United States, upon the special recommendation of the President, has, at its present session, adopted a joint resolution in the following words, to-wit:

"*Resolved*, That the United States ought to co-operate with any State which may adopt a gradual abolishment of slavery, giving to such State aid, to be used in its discretion, to compensate for the inconvenience, public and private, produced by such change of system."

Be it, therefore,

Resolved, 1*st*. That, in the opinion of this Convention, the proposition contained in the said joint resolution adopted by Congress and approved ———, A. D. 1862, is entitled, as well from its eminent source as from its intrinsic importance, to deliberate and respectful consideration.

Resolved, 2*d*. That while a majority of this Convention have not felt authorized to take action with respect to the grave and delicate questions of private right and public policy presented by said resolution, yet this body desires to recognize the liberality therein displayed by the Government of the United States and to express its profound appreciation thereof.

Resolved, 3*d*. That the Governor be and he is hereby requested to transmit properly authenticated copies of the foregoing resolutions to the President of the United States and to the presiding officers of the Senate and the House of Representatives.

The above resolutions were adopted by the Missouri State Convention, on the 14th day of June, 1862.

AIKMAN WELCH,
Vice President of Convention.

Attest:
SAM'L A. LOWE,
Secretary of Convention.

OFFICE OF SECRETARY OF STATE,
City of Jefferson, Missouri.

I hereby certify that the foregoing pages contain correct copies of the Ordinances and Resolutions adopted by the late Missouri State Convention, at Jefferson City, which convened on the first Monday of June, A. D. 1862, as appears from the original rolls now on file in this office.

In witness whereof, I have hereunto set my hand and affixed the seal of office. Done at office, in the City of Jefferson, this 30th day of June, 1862.

SEAL

M. OLIVER,
Secretary of State.

RESOLUTIONS.

PRINTING AND PUBLISHING.

Resolved, That fifteen thousand copies of the Ordinances adopted by this Convention be printed in pamphlet form, and that when printed they be delivered to the Secretary of State for distribution as follows: Ten copies to each member of this Convention, and the remainder to the Clerks of the County Courts, or other equivalent officer, of the several counties in this State, in the same proportion as the Session Acts are now required to be distributed to said counties, and it shall be the duty of such Clerks to distribute the copies so received by them among the voters of their respective counties.

2*d*. That the Secretary of this Convention be and he is hereby directed to append to the Journals to be printed therewith, all Ordinances and all Resolutions of a general nature adopted by this Convention.

3*d*. That the Committee appointed at the Session of this Convention in October, 1861, to contract for printing the Proceedings thereof, be and the same are hereby revived, and authorized to contract for the printing authorized by the foregoing resolutions, and also for the printing of five thousand copies of the Proceedings and Debates of this Convention at its present Session; *provided,* that the rate to be paid therefor shall not exceed the rates heretofore paid for printing the Proceedings of this body: and said Committee shall procure all the printing authorized by these resolutions to be properly done and distributed under such contracts, and shall audit the account therefor, which account, when audited and approved by a majority of such Committee, shall be paid for as other allowances of this Convention. That said Committee be instructed to contract with George Knapp & Co. for the printing herein provided for.

4*th*. That the copies of the Proceedings and Debates of the present Session above authorized to be printed shall be forwarded by the persons employed to print the same, in the same manner as provided by resolution of this body, adopted on the 22d day of March, 1861, in respect to the Proceedings and Debates of the first Session, except that for the members of the late General Assembly therein mentioned, the members of the next General Assembly shall be substituted.

COMPENSATION FOR DAMAGES.

1. *Resolved,* That our Senators and Representatives in Congress be requested to secure the passage of a law by Congress providing for the adjudication by Commissioners and the payment by the United States of all claims of citizens of the State of Missouri that may be found to be just, arising out of the improper destruction and seizure and removal of property by certain officers and soldiers of the army of the United States, and by persons engaged in waging war against the United States contrary to the laws of war.

2. *Resolved,* That the Secretary of this Convention forward a copy of these Resolutions to each of our Senators and Representatives in Congress.

A true copy of the Resolutions adopted by the Missouri State Convention, at its Session held in Jefferson City, Mo., on the 14th day of June, 1862, as the same appear on the record of proceedings.

Attest: SAM'L A. LOWE,

Secretary of Convention.

INVITATION TO VISIT PENITENTIARY.

JEFFERSON CITY, Mo., June, 7, 1862.

Hon. R. WILSON, *President Missouri Convention.*

SIR:—The undersigned Warden and Inspectors of the Missouri Penitentiary would be pleased to receive a visit from yourself and all the other members and officers of the Convention to the Missouri Penitentiary. We are desirous that your honorable body would make a formal inspection of the prison and its management by its present officers, as it is and has been our constant effort to administer its affairs to the best interest of the State, and to the well-being and proper care of the unfortunate men confined within its walls. It is well worthy of your personal examination and fostering care as the representatives of the people of Missouri.

Very respectfully,
Your obedient servants,

P. T. MILLER, *Warden Mo. Pent'y.*
WM. S. MOSELEY, G. C. BINGHAM, AIKMAN WELCH, *Inspectors of Mo. Pent'y.*

SUBSTITUTE OFFERED BY MR. STEWART FOR THE MAJORITY

Report on Governor's Message, and withdrawn June 14, 1862.

WHEREAS, The rebellion inaugurated professedly in behalf of the institution of slavery has greatly diminished the number and value of slaves in Missouri, and has produced a condition of things tending inevitably to the virtual extinction of the institution in our State not many years hence, by putting an end to the immigration of slaveholders with their slaves within the State, and by rapidly hastening their removal, previously commenced, to a more southern and congenial clime; and

Whereas, many other interests of our State have by the same general cause been brought into a languishing condition, and the revenue of the State so diminished as to utterly derange its finances, threatening to engulf us in hopeless bankruptcy; and

Whereas, as a measure of relief we must depend, in a great degree, upon immigration, and the introduction of capital, and the various industrial enterprises, that shall develope the vast natural resources of our State; and

Whereas, our only hope for future immigration is in the non-slaveholding classes of this and foreign countries, whose prejudices against the institution of slavery will tend in a great measure to cause them to shun this State while they have doubts of its ultimate extinction; and

Whereas, further, the President of the United States has recommended, and Congress, by resolution, has endorsed the policy of aid by the General Government to such States as shall adopt a system of gradual emancipation; and

Whereas, This Convention, regarding the ultimate and general prosperity of our State as more important than any special interest, and believing that the only question which Providence has left for our people to decide in regard to slavery, is the manner of, and terms upon which, its extinction in Missouri shall be accomplished; would solemnly commend to the serious and dispassionate consideration of the people the subject of gradual emancipation, in order that a plan may be adopted that will accomplish the change already inevitable, with the least possible inconvenience and pecuniary injury to those most immediately interested, and that will secure the aid proposed by the General Government.

R. M. STEWART.

June 14, 1862.

REPORT OF COMMITTEE ON FINANCE ON THE MEMORIAL OF A. W. MORRISON.

The Committee on Finance, to whom was referred the memorial of A. W. Morrison, late Treasurer of this State, report that they have considered the same, and as the law provides that the accounts of that officer must be examined by a Committee of the Legislature, one member thereof from the Senate, and two from the House of Representatives; they, therefore, deem it inexpedient for this Convention to go into the examination asked for, and recommend that the prayer of the memorial be not granted, and that the committee be discharged from the further consideration of the same.

W. DOUGLASS,
Chairman.

CITY OF JEFFERSON,
June 9, 1862.

To the Honorable
the State Convention of Missouri.

GENTLEMEN:

By request of the undersigned, late State Treasurer, the Hon. W. P. Hall, then Acting Governor of the State, appointed Messrs. M. Oliver, P. T. Miller, and E. B. Cordell, a committee to investigate and report to him the condition of his accounts as Treasurer, which report was made to Governor Hall by said committee on the 7th of February, 1862, and a copy thereof is hereto attached.

The undersigned respectfully requests that the Hon. Convention will receive said report, and take such action thereon as may relieve him and his securities from any future responsibility as State Treasurer.

Respectfully submitted,

A. W. MORRISON.

CITY OF JEFFERSON, Feb. 7, 1862.

To His Excellency, W. P. HALL,
Acting Governor of Missouri.

SIR:

The undersigned, a committee appointed by you to investigate the accounts of A. W. Morrison, Esq., late Treasurer of the State of Missouri, and report to the Governor the result of their investigations, respectfully report:

That we find from the books in the Auditor's Office, the Treasurer is chargeable, as follows:

Balance due by him as per report of the last Investigating Committee on the 1st October, 1860.....	$219,062 33	
Less wolf-scalp certificates burnt by said Committee as per resolution of the General Assembly.....	2,961 26	
		$216,101 07
Amount received from 1st October, 1860, to December 15th, 1861.....	$1,706,118 68	
Total amount with which Treasurer is chargeable....	$1,922,219 75	

The Treasurer is entitled to the following credits:

Warrants redeemed from Oct. 1st, 1860, to December 15, 1861.....	$1,859,074 27	
Wolf-scalp certificates counted in Treasury.....	1,585 50	
Railroad tax receipts counted in Treasury.....	129 99	
Certificates of Deposit in the Bank of Missouri, consisting of cash and coupons paid by said Bank.....	50,432 41	
Cash counted in the Treasury	997 58	
Total amount of credits to which the Treasurer is entitled.....	$1,922,219 75	

Respectfully submitted,

E. B. CORDELL,
P. T. MILLER,
M. OLIVER. } *Committee.*

REPORT OF THE AUDITOR OF PUBLIC ACCOUNTS.

AUDITOR'S OFFICE, MISSOURI,
Jefferson City, June, 1862.

To the President of the
Missouri State Convention.

I have deemed it important to the fiscal affairs of our State, as one of her public servants, having charge of her monetary affairs, to submit to your Honorable body, some considerations and facts, which, if adopted, may result in great advantage to the State, lead to an entire absorption of the defence warrants issued by virtue of the ordinance of 18th October, 1861; save the sale of the bank stock pledged for their redemption, and afford great relief to our suffering tax-payers, by extending their reception for the taxes due the State in 1863.

Under the ordinance above referred to there has been issued on the requisitions of the Governor, and delivered to the various Assistant Paymasters of the Missouri State Militia, and the Quartermaster General of Missouri, the sum of seven hundred and twenty thousand dollars, up to the present date; of this amount, the largest sum has been paid out to the six months' militia, and the balance disbursed by the Quartermaster General in payment for forage, provisions and supplies, ordnance stores, etc., under the ordinance of October 18th, 1861. These warrants have gone into general circulation; and *in counties where the revenue has been collected*, have soon been returned to the State Treasury; the holders of these warrants, in those counties who *were tax-payers* have suffered no loss, as they readily answered the wants of the community. In many instances, however, owing to the stringency of the money market, the unsettled condition of affairs, the gloomy future before us, many of our soldiery and needy citizens have had to suffer considerable depreciation in their value, in exchanging them for par funds. This depreciation was caused from the want of a *home demand* in *non-tax-paying* counties, by the Shylocks and brokers, who saw opened up to them a fine field of speculation in the disordered condition of the financial affairs of our State. I believe, however, if the Convention would amend the ordinance of October 18th, 1861, and make them receivable for the taxes of 1863—and for all balances due by late collectors for the taxes of 1860—the value of the warrants would be appreciated to par; the whole amount issued would be retired and paid into the Treasury; the State relieved from the debt created; the civil Government carried on without resort to borrowing; the people of the State greatly enabled to pay the revenue of 1863; and the bank stock saved from sale at its present depreciated price.

1st. Make them receivable from late collectors, who are in default for all balances due the State, for the taxes of 1860.

2d. Make them receivable for the taxes of the year 1863.

This extension of time would give three years for their redemption, leaving other means sufficient (exclusive of defence warrants) to defray the ordinary expenses of the State Government, which will reach three hundred thousand dollars per annum, exclusive of the deduction of the twenty per cent. per annum for the year 1862 for the pay of civil officers.

The ordinance of the Convention of October 18th, 1861, provided for the redemption of these warrants by the 31st of December, 1862; and if not then redeemed, pledged the bank stock owned by the State for their payment. It was contemplated that, if the revenues of 1861 and 1862 would equal the revenues of 1859 and 1860, (about $880,000 each year,) the whole amount would be received into the Treasury for the taxes of 1861 and 1862, by the 31st of December, 1862; but the revenue of 1861 has fallen far below the revenue of 1860, as there has only been forty-one out of one hundred

and fourteen counties (the whole number in the State) who have receipted for the tax books of that year, 1861. See Tables A and B. Should the collections of 1862 not exceed those of 1861, which is very probable, owing to the great depreciation in the value of real and personal property, and the loss of slaves in the State, it will require nearly the whole of the revenues of these two years, 1861 and 1862, to take up the defence warrants issued, leaving but little money in the Treasury for the support of the civil Government, and leaving no funds for apportionment to the school and asylum funds, under the laws of the State. Under the ordinance, defence warrants, when once paid into the Treasury, cannot be issued out again, but must be cancelled and destroyed; the ordinance virtually suspending the apportionment and distribution of said funds (school and asylum) for the years 1861 and 1862. I doubt somewhat the policy of the Convention exercising the powers of general legislation, as the legislative body under the Constitution will soon be elected by the people, when all necessary laws can be enacted; but in the absence of the General Assembly, when the interest of the State demands immediate action, I think it proper and right for the Convention to adopt such measures as will carry into successful operation and effect its ordinances heretofore enacted. I would respectfully suggest that, in carrying out the several ordinances passed by the Convention, considerable expenses were incurred for the promulgation and publication of the ordinances in the public newspapers throughout the State, and no provision was made by your body for their payment. The only special appropriations made by the law of the land to cover such contingencies, under which the Governor and Secretary of State had authority to order and direct their payment, to wit, the "Contingent Expenses of the Governor and Secretary," and the "General Contingent Fund," had been exhausted, and no warrant can be drawn by the Auditor upon a fund exhausted. Another considerable item of expense was incurred for the purchase of books for the defence warrants, having them lithographed, etc., and books for registration for the use of the Auditor and Secretary of State's office. I would, therefore, recommend the passage of an ordinance authorizing the payment of all claims incurred for printing and publishing the ordinances of the Convention in the various newspapers in the State; for all expenses incurred in the procurement of books for the Secretary of State and Auditor's office for the registration of said warrants, and for getting up and preparing blank warrant books, including lithographing, printing, binding, &c., and for any additional clerk hire by the officers having charge of the preparation and getting up of said warrants; said accounts to be presented and approved by the Governor, and paid in *defence warrants*, by any Paymaster or disbursing officer in the State of Missouri. The amount due the publishers of newspapers for printing and publishing the ordinances of the Convention, amounts to from eight hundred to one thousand dollars. They are a needy and meritorious class, and performed the work faithfully and expeditiously without murmur or complaint, and should be paid *speedily*. Payment should be provided for all expenses incurred in the preparation of the getting up and delivery of those warrants, as no special appropriations made by law can be used for that purpose. The bills for lithographing, printing, and binding of warrants, amounting to the sum of eighteen hundred dollars, have been paid in defence warrants, (upon the approval of the accounts by the Governor,) by the Paymasters of the Missouri State Militia, up to this date; but there will be additional accounts for printing and binding yet to be paid. The additional labor imposed upon the Auditor and Secretary of State has been great, requiring their personal and constant attention whilst registrations were being ordered for warrants, sometimes requiring all the clerical force of both offices, to the exclusion of the daily current business; but they have endeavored to faithfully discharge the additional labor with alacrity, and hope to the entire satisfaction of the public.

Another subject of legislation is well worthy the consideration of the Convention, as it affects much the revenues of the State. I allude to the delinquent land list of the year 1861, and the delinquent land list of St. Louis county for the year 1860. The revenue law requires the collectors to return their delinquent land list to the Register's office by the 31st day of December; if not then returned it cannot be received. Owing to our troubles, and other circumstances beyond control, no delinquent land lists for 1861 have been received and filed within the time required by law; consequently, none of the lands can be redeemed at the State Treasury, nor the taxes paid in the counties where situated. The lands are completely tied up; parties cannot pay or redeem them, and the State is left loser to hundreds and thousands of dollars. If these land lists were made receivable by an ordinance of the Convention, as is always done by special legislation, I am satisfied that at least one hundred thousand dollars would be paid into the Treasury on those lands within a short period, which will not be done under the present circumstances; collectors will be relieved from liability, and the State greatly benefited.

One other highly important and patriotic subject appeals to your consideration, and is well worthy of early action; one which calls aloud to every true hearted Missourian; that is, the care and protection of our sick, wounded, and suffering soldiery, who have suffered upon the bloody fields of Pea Ridge and Shiloh, in defence of our common country. Other States have made generous provisions for their sick and wounded; Governors and State officials have visited the battle-fields with all the means necessary for their comfort and support; why should not Missouri, who has so many of her sons battling for the Union on the fields of Tennessee and Arkansas, lend a helping hand to them in the hour of need? When the conflict of arms is over, should they be forgotten and left to perish away from home and kindred? Then let our State come to the rescue, and lend a helping hand to those who have perilled all for our country, homes, and firesides. The amount of defence warrants authorized by the Convention is one million of dollars; the amount issued and delivered is seven hundred and twenty thousand dollars, leaving two hundred and eighty thousand dollars. As nearly all the expenses of the six months' militia have been paid, place one hundred thousand dollars of these warrants at the disposal of the Governor, to be expended in providing for the sick and wounded, bringing them home, and ministering to their wants whilst stricken down by disease or suffering from wounds received, and burying those who have fallen in the bloody conflicts. No true patriotic Missourian would murmur at such an appropriation. Men who have perilled their lives for our homes, for the preservation and perpetuation of the Union as our fathers made it, are deserving and entitled to our aid and sympathy.

The suggestions I have presented will, in my opinion, if adopted, prove highly beneficial to our State and her suffering people. All measures which tend to the fostering and protection of her revenues, are highly important and necessary. "The revenue of the State is *the State;* in effect we are dependent upon it, whether for support or for reformation."

Very respectfully,

Your obed't serv't,

WM. S. MOSELEY,

Auditor.

[See Table A; also Table B.]

[*Table A.*]

	COUNTIES.	Amount of Tax list receipted for 1861.	Amount paid 1861.
1	Adair	$ 4,682 85	$ 4,682 85
2	Andrew	10,378 06	.....
3	Atchison	4,360 29	.....
4	Boone	22,422 77	12,904 26
5	Caldwell	4,379 65	.....
6	Cole	7,720 62	.....
7	Crawford	3,115 45	.....
8	Daviess	6,421 43	.....
9	Gentry	3,979 16	.....
10	Grundy	3,725 47	2,745 17
11	Harrison	6,071 41	6,409 89
12	Henry	9,911 44	.....
13	Holt	5,335 29	.....
14	Howard	21,730 69	.....
15	Jefferson	6,180 85	4,818 33
16	Laclede	3,470 21	.....
17	Lafayette	28,752 05	.....
18	Lewis	10,051 10	.....
19	Lincoln	10,260 18	.....
20	Linn	4,886 81	.....
21	Maries	1,837 20	1,256 60
22	Moniteau	6,866 47	.....
23	Mercer	3,549 61	2,625 28
24	Monroe	12,463 61	.....
25	Montgomery	9,535 25	.....
26	Osage	4,106 61	.....
27	Perry	5,408 10	.....
28	Pettis	6,435 40	.....
29	Pike	17,761 24	.....
30	Putnam	4,112 33	3,362 88
31	Ralls	8,062 87	1,123 34
32	Randolph	9,569 00	.....
33	Ray	15,438 30	.....
34	St. Charles	14,662 83	8,995 36
35	St. François	6,016 98	.....
36	Ste. Genevieve	5,607 45	4,147 77
37	St. Louis	275,549 04	195,393 98
38	Shelby	7,095 01	.....
39	Sullivan	4,835 50	.....
40	Warren	5,590 99	4,921 25
41	Worth	1,881 17	.....
	Total amount	$604,220 74	$253,386 96

Dram shop licenses, paid by B. McSorley, collector of St. Louis	$ 9,137 40	
Insurance agency licenses, paid by S. W. Eager, Jr., collector of St. Louis	2,744 00	
Dram shop licenses, paid by C. J. Carpenter, collector of St. Louis	14,157 15	
Total paid into Treasury by 41 Counties		$279,425 51
including dram shop licenses of St. Louis county.		

[*Table B.*]

The gross amount of revenue of 1861, chargeable against the various Collectors, up to this date, (June 1st, 1862,) as per receipts filed, in the forty-one counties referred to in Table A, is		$604,220 74
Amount paid into the Treasury, up to above date, as per receipts of Treasurer, including Defence Warrants, is		$253,386 90
Leaving a balance unpaid on the taxes of 1861, (less commissions, mileage, etc.,) of		$350,833 78

[It is impossible, at this time, to give the net revenue of 1861, as the several Collectors have not filed their delinquent land lists of that year, and their accounts cannot be finally balanced and closed up until their proper credits are allowed. In fact, many of the Collectors did not receive and receipt for the books of 1861, until after that year had expired; some of them did not receipt for the books till the month of May, 1862. The delinquent land and personal lists of 1861 will greatly exceed the lists of 1859 and 1860.]

Amount of cash and Defence Warrants received into the Treasury, on the taxes and licenses of said year, is		$253,386 96
On dram shop licenses of St. Louis, 1861, (McSorley)	9,137 40	
On dram shop licenses of St. Louis, 1861, (Carpenter)	14,157 15	
Foreign insurance licenses of St. Louis, (S. W. Eager)	2,744 00	
Total am't received in 1861, in cash and Defence Warrants		$279,425 51
Number of Defence Warrants issued up to 1st June 1862, is		$720,000 00
Am'nt paid into the Treas'y up to said date, is	$94,265 00	
Returned and cancelled by Major Sawyer, Paymaster Missouri State Militia	2,175 00	
Returned and cancelled by Col. C.C. Marsh, Paymaster Missouri State Militia	335 00	96,775 00
Total am't of outstanding Defence warrants to Jun. 1, '62,		$623,225 00

CENSUS OF MISSOURI.

TABLE SHOWING THE POPULATION OF MISSOURI BY COUNTIES, AS RETURNED BY THE EIGHTH CENSUS, 1860.

Counties.	Whites.	Free Colored.	Slaves.	Total.
Adair	8,436	9	86	8,531
Andrew	10,949	21	880	1,1850
Atchison	4,578	12	59	4,649
Audrain	6,909	0	1,166	8,075
Barry	7,738	10	247	7,995
Barton	1,796	0	21	1,817
Bates	6,765	8	442	7,215
Benton	8,460	13	599	9,072
Bolinger	7,126	0	245	7,371
Boone	14,399	53	5,034	19,486
Buchanan	21,799	51	2,011	23,861
Butler	2,837	2	52	2,891
Caldwell	4,810	2	222	5,034
Callaway	12,895	31	4,523	17,449
Camden	4,769	0	206	4,975
Cape Girardeau	13,961	53	1,533	15,547
Carroll	8,692	3	1,068	9,763
Cass	8,781	3	1,010	9,794
Carter	1,200	15	20	1,235
Cedar	6,420	6	211	6,637
Chariton	9,672	51	2,839	12,562
Christian	5,262	0	229	5,491
Clark	11,216	13	455	11,684
Clay	9,525	43	3,453	13,023
Clinton	6,685	19	1,144	7,848
Cole	8,645	65	987	9,697
Cooper	13,528	28	3,800	17,356
Crawford	5,640	1	182	5,823
Dade	6,721	5	346	7,072
Dallas	5,777	1	114	5,892
Daviess	9,248	0	358	9,606
DeKalb	5,081	6	137	5,224
Dent	5,498	0	156	5,654
Douglas	2,414	0	0	2,414
Dunklin	4,855	0	171	5,026
Franklin	16,465	19	1,601	18,085
Gasconade	8,641	9	76	8,726
Gentry	11,862	0	118	11,980
Greene	11,509	9	1,668	13,186
Grundy	7,596	6	285	7,887
Harrison	10,601	0	25	10,626
Henry	8,620	1	1,245	9,866
Hickory	4,503	7	195	4,705

CENSUS OF MISSOURI—(*Continued*).

Counties.	Whites.	Free Colored.	Slaves.	Total.
Holt	6,241	0	309	6,550
Howard	9,986	74	5,886	15,946
Howell	3,133	0	36	3,169
Iron	5,529	0	313	5,842
Jackson	18,882	70	3,944	22,896
Jasper	6,533	15	335	6,883
Jefferson	9,763	17	564	10,344
Johnson	12,743	5	1,896	14,644
Knox	8,436	7	284	8,727
Laclede	4,875	2	305	5,182
Lafayette	13,688	36	6,374	20,098
Lawrence	8,559	3	284	8,846
Lewis	10,983	24	1,279	12,286
Lincoln	11,347	23	2,840	14,210
Linn	8,509	26	577	9,112
Livingston	6,812	0	605	7,417
Macon	13,673	13	660	14,346
Madison	5,179	18	467	5,654
Maries	4,830	7	64	4,901
Marion	15,732	89	3,017	18,838
McDonough	3,957	9	72	4,038
Mercer	9,274	2	24	9,300
Miller	6,572	2	238	6,812
Mississippi	3,849	0	1,010	4,859
Moniteau	9,375	4	745	10,124
Monroe	11,722	42	3,021	14,785
Montgomery	8,061	10	1,647	9,718
Morgan	7,545	8	649	8,202
New Madrid	3,863	14	1,777	5,654
Newton	8,842	51	426	9,319
Nodaway	5,123	2	127	5,252
Oregon	2,983	0	26	3,009
Osage	7,622	0	256	7,879
Ozark	2,361	43	43	2,447
Pemiscot	2,682	12	268	2,962
Perry	8,366	23	739	9,128
Pettis	7,504	6	1,882	9,392
Phelps	5,628	2	84	5,714
Pike	14,302	60	4,055	18,417
Platte	14,981	56	3,313	18,350
Polk	9,468	15	512	9,995
Pulaski	3,779	0	56	3,835
Putnam	9,176	0	31	9,207
Ralls	6,788	13	1,791	8,592
Randolph	8,777	11	2,619	11,407
Ray	12,038	7	2,047	14,092
Reynolds	3,135	0	38	3,173
Ripley	3,667	3	78	3,747
St. Charles	14,313	29	2,181	16,523

CENSUS OF MISSOURI—(*Continued*).

Counties.	Whites.	Free Colored.	Slaves.	Total.
St. Clair	6,229	9	574	6,812
St. François	6,292	80	877	7,249
Ste. Geneviève	7,323	89	617	8,029
St. Louis	184,313	1,865	4,346	190,524
Saline	9,800	23	4,876	14,699
Schuyler	6,658	0	39	6,697
Scotland	8,742	0	131	8,873
Scott	4,730	14	503	5,247
Shannon	2,271	0	13	2,284
Shelby	6,565	12	724	7,301
Stoddard	7,659	3	215	7,877
Stone	2,384	0	16	2,400
Sullivan	9,095	1	102	9,198
Taney	3,489	5	82	3,576
Texas	6,009	2	56	6,067
Vernon	4,712	2	136	4,850
Warren	7,798	7	1,034	8,839
Washington	8,670	25	1,028	9,723
Wayne	5,361	7	261	5,629
Webster	6,879	0	220	7,099
Wright	4,442	0	66	4,508
Totals	1,063,491	3,572	114,931	1,181,994
(*Indians not included.*)				
Gasconade	1	0	0	1
Jackson	17	0	0	17
Totals	1,063,509	3,572	114,931	1,182,012

Resolved, That the Secretary of this Convention furnish each member thereof with a copy of the late census of the State of Missouri.